

SH# 231566

NOTICE REC'd
ON 5-8-18

300
25
\$325.00
6/7/18
Bankruptcy Filed
Inspector Guez

Court of Common Pleas

Term, 20

No. 180103400

PHILADELPHIA
SHERIFF'S OFFICE-MAIN DESK
2018 MAY -8 PM 3:52

HASSAN vs. UNKNOWN OCCUPANTS

146 S. 62ND ST

PHILA.

PA. 19139

WRIT OF POSSESSION

HASAN

484-557-1737

CITY - 1

FAX COVER SHEET

| | |
|------------|---|
| TO | Sheriff |
| COMPANY | Sheriff |
| FAX NUMBER | 12156863971 |
| FROM | Stephen Dunne |
| DATE | 2018-05-08 22:25:14 GMT |
| RE | Notice of Bankruptcy Case Filing - Book/Writ1707-5002 |

COVER MESSAGE

Please see Notice of Bankruptcy Case Filing for Lyndel Toppin, who resides at 146 S. 62nd Street, Philadelphia, PA 19145.

Book/Writ1707-5002

Thank you.

Stephen M. Dunne, Esq.

Live Database Area

Page 1 of 2

United States Bankruptcy Court
Eastern District of Pennsylvania

Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 13 of the United States Bankruptcy Code, entered on 05/08/2018 at 6:04 PM and filed on 05/08/2018.

Lyndel Toppin
146 S. 62nd Street
Philadelphia, PA 19145
SSN / ITIN: xxx-xx-2550



The case was filed by the debtor's attorney:

STEPHEN MATTHEW DUNNE

Dunne Law Offices, P.C.
1515 Market Street
Suite 1200
Philadelphia, PA 19102
U.S.A.
215-551-7109

The case was assigned case number 18-13098-mdc to Judge Magdeline D. Coleman.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our Internet home page <http://ecf.pach.uscourts.gov> or at the Clerk's Office, 900 Market Street, Suite 400, Philadelphia, PA 19107.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

Timothy B McGrath

File:///S:/ECE/Toppin,%20Lyndel/Filed%7BEmergency%7D/Ecf%20NoticeOfFiling%2020... 5/8/2018

C I T Y - 2
P . 2

SHERIFF'S OFFICE OF PHILADELPHIA COUNTY

Jewell Williams
Sheriff



Richard Verrecchio
Chief Inspector

Kevin Lamb
Chief Deputy

Robert Jackson
Chief of Staff

CITY OF PHILADELPHIA
vs.
STANLEY ZALKIN AND ELEANOR ZALKIN

Case Number
1504T0192
(1707-5002)

SHERIFF'S RETURN OF SERVICE

04/27/2017 COURT DECREE, HANDBILL, LEGAL DESCRIPTION
04/27/2017 WRIT DATA VERIFIED BY TOMIKO VAUGHON
07/06/2017 AS DIRECTED BY GRB LAW, ATTORNEY FOR THE PLAINTIFF, SHERIFF'S SALE CONTINUED TO 9/7/2017
09/07/2017 AS DIRECTED BY GRB LAW, ATTORNEY FOR THE PLAINTIFF, SHERIFF'S SALE CONTINUED TO 10/5/2017
10/05/2017 REAL ESTATE SOLD AT SHERIFF'S SALE
10/05/2017 SALES RECEIPT DATA VERIFIED BY TOMIKO VAUGHON
10/05/2017 AUTOMATED DEED ASSIGNMENT PATRIOT LAND TRANSFER, LLC
10/06/2017 BUYER'S ACKNOWLEDGEMENT
11/03/2017 SHERIFF'S SETTLEMENT
11/03/2017 PRINTED ON NOVEMBER 03, 2017 BY MARK WILSON WITH TRACKING ID: 1509726459
11/09/2017 REAL ESTATE:
ABDELDAYEM HASSAN
309 BARKER AVENUE
LANSDOWNE, PA 19050
05/08/2018 DEFENDANT ATTORNEY
05/09/2018 BANKRUPTCY FILED IN SHERIFF'S OFFICE
07/26/2018 DART DISTRIBUTION POLICY REQUESTED FROM PATRIOT LAND TRANSFER, LLC (NOTED BY BADIA BEASLE)
11/07/2018 DISTRIBUTION POLICY RECEIVED FROM PATRIOT LAND TRANSFER, LLC (NOTED BY RICHARD VERRECCHIO)

SHERIFF COST: \$2,931.71

SO ANSWERS,

August 20, 2019


JEWELL WILLIAMS, SHERIFF

C I T Y - 3

HASSAN
vs.
UNKOWN OCCUPANTS

Case Number
180103400
(231566)

SERVICE EVENT REPORT
(Posted)

Service Details:

| | | | |
|------------------|--|-----------------|------------|
| Category: | Writ of Possession - Common Pleas - Possession | Expires: | 08/07/2018 |
| Manner: | < Not Specified > | Warrant: | |
| Notes: | MAIN DESK CLERK: LIONEL COOK | | |

Serve To:

| | | | |
|-------------------------|--|----------------|--|
| Name: | UNKOWN OCCUPANTS | Mobile: | |
| Primary Address: | 146 S. 62ND ST PHILADELPHIA, PA 19139 | Notes: | |
| Phone: | | | |

Service Event Details:

| | | | |
|---------------|---|------------------|--------|
| Date: | 05/10/2018 | Category: | Posted |
| Notes: | DEPUTY JETARIA TAYLOR, BEING DULY SWORN ACCORDING TO LAW, POSTED ONE TRUE AND ATTESTED COPY OF THE WITHIN WRIT OF POSSESSION UPON REAL ESTATE LOCATED AT 146 S. 62ND ST, PHILADELPHIA, PA 19139. 21 DAY NOTICE POSTED POSSESSION DATE 6/25/18 @9AM CANCELED PER DEFT FILED BANKRUPTCY | | |

Delivery Details:

| | | | | | |
|------------------|---|------------------|---------|------------------|----------------|
| Time In: | | Time Out: | 9:45 AM | Deputy 1: | Jetaria Taylor |
| Mileage: | 0 | Deputy 2: | | | |
| Accepted: | | | | | |
| Notes: | | | | | |

Entered By: Joshua Wigfall

Print Date: 02/21/2019

Print Time: 10:16 AM

(c) County of San Diego Sheriff's Office

C I T Y - 4

FAX COVER SHEET

| | |
|------------|---|
| TO | Sheriff's Office |
| COMPANY | Sheriff's Office |
| FAX NUMBER | 12156863555 |
| FROM | Stephen Dunne |
| DATE | 2018-06-07 20:01:07 GMT |
| RE | Notice of Bankruptcy Case Filing - 146 S. 62nd Street, Phila, PA 19145 |

COVER MESSAGE

Please be advised that Lyndel Toppin filed a Chapter 13 bankruptcy case on 05/08/2018.

Name: Lyndel Toppin

Address: 146 S. 62nd Street, Philadelphia, PA 19145

231566

CITY - 5
P . 1

Live Database Area

Page 1 of 2

United States Bankruptcy Court
Eastern District of Pennsylvania

Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 13 of the United States Bankruptcy Code, entered on 05/08/2018 at 6:04 PM and filed on 05/08/2018.

Lyndel Toppin
146 S. 62nd Street
Philadelphia, PA 19145
SSN/ITIN: xxx-xx-2550



The case was filed by the debtor's attorney:

STEPHEN MATTHEW DUNNE
Dunne Law Offices, P.C.
1515 Market Street
Suite 1200
Philadelphia, PA 19102
U.S.A.
215-551-7109

The case was assigned case number 18-13098-mdc to Judge Magdeline D. Coleman.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page <http://ecf.paeb.uscourts.gov> or at the Clerk's Office, 900 Market Street, Suite 400, Philadelphia, PA 19107.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

Timothy B McGrath

file:///S:/ECF/Toppin,%20Lyndel/Filed%7BEmergency%7D/Ecf%20NoticeOfFiling%2020... 5/8/2018

C I T Y - 5
P . 2

HASSAN
vs.
UNKOWN OCCUPANTS

Case Number
180103400
(231566)

SERVICE EVENT REPORT
(Other)

Service Details:

| | | | |
|------------------|--|-----------------|------------|
| Category: | Writ of Possession - Common Pleas - Possession | Expires: | 08/07/2018 |
| Manner: | < Not Specified > | Warrant: | |
| Notes: | MAIN DESK CLERK: LIONEL COOK | | |

Serve To:

| | | | |
|-------------------------|--|----------------|--|
| Name: | UNKOWN OCCUPANTS | Mobile: | |
| Primary Address: | 146 S. 62ND ST PHILADELPHIA, PA 19139 | Notes: | |
| Phone: | | | |

Service Event Details:

| | | | |
|---------------|--|------------------|-------|
| Date: | 06/25/2018 | Category: | Other |
| Notes: | letter from bankruptcy court sent to the office. Defendant claims eviction proceedings continued after notifying the sheriff's office that bankruptcy was filed. Inspector Guess received bankruptcy fax on June 6th 2018. Bankruptcy notice was logged in possession book and on Jewell system. No other eviction actions were taken by the civil enforcement unit as of that date. Letter and supporting documents are being forwarded to undersheriff vignola. | | |
| | Inspector Guess | | |

Delivery Details:

| | | | | | |
|------------------|---|------------------|--|------------------|-------------|
| Time In: | | Time Out: | | Deputy 1: | Monte Guess |
| Mileage: | 0 | | | Deputy 2: | |
| Accepted: | | | | | |
| Notes: | | | | | |

Entered By: Monte Guess **Print Date:** 02/21/2019 **Print Time:** 10:15 AM

City of Philadelphia, Police Department

CITY - 6

20

| | | | |
|-------------------------------|---|---|-------------------------------|
| JUNE 25 | | | |
| 230615 12 ⁰⁰ pm | Metropolitan Contracting Ltd. 223-225 Market St. | France Bouens 215-237-2633 | 228267 12 ⁰⁰ pm |
| 231936 9am | ANNYAH Moore 5367 MORRIS ST Given | (C) KML 215825 6451 | 231609 9am |
| 231900 9 ⁰⁰ | FATNITA BANGUR 6709 WOLSTONTON | Cancelled KASTA LITTLE 610 278 6800 | 231593 9am |
| 231566 9am | UNKNOWN OCCUPANTS 146 S 62nd Bankruptcy filed | (N) HASAN 484 557 1737 | 231777 9am |
| 231718 9am | DAWIN CYRUS (PD) 2443 S. GOSWOOD | (VM) Tysheem HINGLOVE 215 791 5751 | 232064 Lackey 10 |
| 231897 Lackey 10am | TRIN KENNEDY 3645 N 19th Given | (N) SUNIEL NUNBE 973 953 7345 *973 986 9282 | 231904 Lackey 10 |
| | | | 228587 10:15 5 |

ADDRESS: 146 S 62nd st

SHERIFF NUMBER: 231566

- 21-DAY NOTICE -

DATE & TIME POSTED: 5.10.18 @ 9:45am

DEPUTY: Taylor

CONTACT INFO: _____

ADDITIONAL DETAILS: _____

- FINAL NOTICE -

DATE & TIME POSTED: _____ @ 3:46pm

DEPUTY: Taylor

CONTACT INFO: _____

ADDITIONAL DETAILS: _____

SCHEDULED EVICTION DATE: June 25th
9 AM

MOVE OUT - LOCK OUT - SEIZURE

DEPUTY _____ DEPUTY _____

DATE & TIME: _____ @ _____

OCCUPANTS PRESENT: ☐ YES ☐ NO

POSSESSION GIVEN TO: _____

PHONE NUMBER: _____

LOCKSMITH: _____

MOVING COMPANY: _____

ADDRESS: _____

PHONE NUMBER: _____

STORAGE FACILITY: _____

ADDRESS: _____

PHONE NUMBER: _____

DEPUTY SIGNATURE: X _____

PLAINTIFF (REP): X _____

PHILADELPHIA SHERIFF'S

SIGN I SHEET

| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|-------|----------|-----|------------------------|----------|
| 5/4/2018 | 8:38 | D'IMARA | | WRITS | RE |
| 5/4/2018 | 8:57 | BENDITT | | EVICTON | MD |
| 5/4/2018 | 9:00 | SANTIAGO | | SETTLEMENT | RE |
| 5/4/2018 | 9:00 | BARR | | SETTLEMENT | RE |
| 5/4/2018 | 9:06 | KENNEDY | | PROP STATUS | MD |
| 5/4/2018 | 9:06 | WILLIAMS | | PROP STATUS | MD |
| 5/4/2018 | 9:06 | GLASS | | SETTLEMENT | RE |
| 5/4/2018 | 9:36 | WILLIAMS | | INTERVIEW | MD |
| 5/4/2018 | 9:38 | ANIELS | | LIENS | RE |
| 5/4/2018 | 9:50 | PHARR | | SETTLEMENT | RE |
| 5/4/2018 | 9:55 | MOR | | POST SALE | RE |
| 5/4/2018 | 9:57 | NICHOL | | WRITS | MD |
| 5/4/2018 | 9:58 | HUANG | | SETTLEMENT | RE |
| 5/4/2018 | 10:16 | Jimenez | | Settlement | RE |
| 5/4/2018 | 10:17 | HUNT | | Settlement | RE |
| 5/4/2018 | 10:39 | SALAMAN | | RICK TYER | RE |
| 5/4/2018 | 10:42 | ASMAU | | PUSHING A SHERIFF SALE | MD |
| 5/4/2018 | 11:07 | BELMONT | | FORECLOSURE/INQUIRY | RE |
| 5/4/2018 | 11:10 | VANCE | | LIENS | RE |
| 5/4/2018 | 11:12 | FOGEL | | FILE WRIT | MD |

TOTALS

41
4 RE 17 MD 5 OTHER

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CITY 9
P. 1



PHILADELPHIA SHERIFF'S
SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|-------|----------|-----|------------------------|----------|
| 5/4/2018 | 11:15 | JONES | | NUR Acmnts | MD |
| 5/4/2018 | 11:28 | GIL | | FILE WRIT | MD |
| 5/4/2018 | 11:40 | HUNT | | SETTLEMENT | RE |
| 5/4/2018 | 11:42 | LUXZKER | | SETTLEMENT | RE |
| 5/4/2018 | 11:44 | ZIMMER | | FILE ORDER | MD |
| 5/4/2018 | 11:47 | LOWE | | PROP INQUIRY | RE |
| 5/4/2018 | 11:58 | KEENAN | | REFUND | RE |
| 5/4/2018 | 12:00 | BARNES | | FILE WRIT | MD |
| 5/4/2018 | 12:04 | ROBERTS | | SETTLEMENT | RE |
| 5/4/2018 | 12:06 | ZAK HEIM | | SETTLEMENT | RE |
| 5/4/2018 | 12:07 | MICHAEL | | DEED | RE |
| 5/4/2018 | 12:08 | JIMENEZ | | SETTLEMENT | RE |
| 5/4/2018 | 12:19 | Chen | | Settlement | RE |
| 5/4/2018 | 12:19 | Lin | | Settlement | RE |
| 5/4/2018 | 12:27 | Dixon | | Copy of Receipt | RE |
| 5/4/2018 | 12:28 | Hall | | Tax Issel | RE |
| 5/4/2018 | 12:31 | Rosano | | File Writs | MD |
| 5/4/2018 | 12:35 | Colbert | | File Ejectment | MD |
| 5/4/2018 | 12:41 | Roberts | | Settlement | RE |
| 5/4/2018 | 12:43 | Auguste | | Shen Aff Sale Question | RE |



PHILADELPHIA SHERIFF'S

SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|-------|------------------|-----|-------------------|----------|
| 5/4/2018 | 12:54 | Vance | | Settlement | RE |
| 5/4/2018 | 12:56 | Socket | | Pick Up Check | RE/Tyer |
| 5/4/2018 | 1:08 | Singh | | Clear Lien | RE |
| 5/4/2018 | 1:11 | Stron | | Lien | MD |
| 5/4/2018 | 1:15 | DUPONT | | SETTLMNT | RE |
| 5/4/2018 | 1:16 | LEBOUCK | | SETTLMNT | RE |
| 5/4/2018 | 1:16 | KENGNE - GARNIER | | SETTLMNT | RE |
| 5/4/2018 | 1:16 | HOUEY ISSAN | | SETTLMNT | RE |
| 5/4/2018 | 1:18 | DOUGHERTY | | PICK UP EXUMNT | RE |
| 5/4/2018 | 1:22 | SANTOS | | SETTLMNT | RE |
| 5/4/2018 | 1:24 | ANDERSON | | UNION BUS. | MD |
| 5/4/2018 | 1:26 | BENDER | | POST SALE/LIENS | RE |
| 5/4/2018 | 1:32 | FARRELLA | | PFA | FIU |
| 5/4/2018 | 1:38 | SABAGH | | DEED | RE |
| 5/4/2018 | 1:38 | LUX | | EVICTON | MD |
| 5/4/2018 | 1:54 | RUBIN | | SUBMIT CLAIM FORM | MDT |
| 5/4/2018 | 1:54 | DYDYNISKY | | WRITS | MD |
| 5/4/2018 | 1:54 | SCANLON | | WRITS | MD |
| 5/4/2018 | 2:04 | WALTON | | LIENS | RE |
| 5/4/2018 | 2:06 | GREENE | | PROP INQUIRY | RE |



PHILADELPHIA SHERIFF'S
SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|------|-------------------|------------|------------------|----------|
| 5/4/2018 | 2:59 | [REDACTED] NGUYEN | [REDACTED] | STYLMENT | RE |
| 5/4/2018 | 4:18 | [REDACTED] MAIDEN | [REDACTED] | PICK UP CLM FROM | DET |
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PHILADELPHIA SHERIFF'S

SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|--------------|-----|------------------|----------|
| 5/11/2018 | 8:47 | KAMARA | | SETTLEMENT | RE |
| 5/11/2018 | 9:21 | WILLIAMS | | SUBMIT EXAMPTS | DART |
| 5/11/2018 | 9:34 | TORRES | | SETTLEMENT | RE |
| 5/11/2018 | 9:35 | OLIVER-SMITH | | FILING FOLLOW UP | MD |
| 5/11/2018 | 9:48 | ARESTAS | | LIENS | RE |
| 5/11/2018 | 10:24 | DATILS | | PROP INQUIRY | RE |
| 5/11/2018 | 10:25 | ROUSEY, SR. | | ALR WRITS | MD |
| 5/11/2018 | 10:34 | MEIR | | SETTLEMENT | RE |
| 5/11/2018 | 10:40 | JAMES | | SETTLEMENT | RE |
| 5/11/2018 | 10:46 | BRADLE | | LIENS | RE |
| 5/11/2018 | 10:48 | BENDER | | SETTLEMENT | RE |
| 5/11/2018 | 10:56 | KRAVETS | | REFUND | DART |
| 5/11/2018 | 11:02 | THOMAS | | LIENS | RE |
| 5/11/2018 | 12:07 | Lyons | | Writ Exp. | MD |
| 5/11/2018 | 12:18 | Cintron | | Property | RE |
| 5/11/2018 | 12:42 | Abera | | Settlement | RE |
| 5/11/2018 | 12:42 | Keenan | | Settlement | RE |
| 5/11/2018 | 12:43 | Futrell | | Settlement | RE |
| 5/11/2018 | 12:45 | Moses | | Writ | MD |
| 5/11/2018 | 12:55 | Warfield | | Settlement | RE |

TOTALS 33 RE 9 MD 2 OTHER - LO

CITY - 9
P. 5



PHILADELPHIA SHERIFF'S
SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|------------|-----|------------------|----------|
| 5/11/2018 | 12:56 | Floyd | | | RE |
| 5/11/2018 | 1:01 | Dieppa | | | MD |
| 5/11/2018 | 1:00 | Malave | | property info | RE |
| 5/11/2018 | 1:02 | DeLo | | Settlement | RE |
| 5/11/2018 | 1:03 | Hugh | | property info | RE MD |
| 5/11/2018 | 1:08 | Grant | | property info | RE MD |
| 5/11/2018 | 1:09 | CINTRON | | PROPERTY INQUIRY | RE |
| 5/11/2018 | 1:18 | HAMRAEN | | SETTLEMENT | RE |
| 5/11/2018 | 1:21 | TANKSLEY | | WVR COMMENTS | RE |
| 5/11/2018 | 2:12 | CHOWDHURY | | SETTLEMENT | RE |
| 5/11/2018 | 2:25 | NOSMANDROS | | SETTLEMENT | RE |
| 5/11/2018 | 2:28 | SMITH | | LIENS | RE |
| 5/11/2018 | 2:30 | LARROW | | SETTLEMENT | RE |
| 5/11/2018 | 2:30 | LARROW | | SETTLEMENT | RE |
| 5/11/2018 | 2:31 | ALLEN | | FILE COMPLAINT | MD |
| 5/11/2018 | 2:33 | ALI | | PROPERTY INQUIRY | RE |
| 5/11/2018 | 2:37 | KODRA | | FILE WRIT | MD |
| 5/11/2018 | 2:42 | STANK | | POST SALE | RE |
| 5/11/2018 | 2:57 | Rivera | | Settlement | RE |
| 5/11/2018 | 2:58 | Gian | | Settlement | RE |



PHILADELPHIA SHERIFF'S
SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|------|-----------------------|------------|----------------|----------|
| 5/11/2018 | 3:16 | [REDACTED] | Scanlon | | MD |
| 5/11/2018 | 3:38 | [REDACTED] BOMSTEIN | [REDACTED] | SALE INQUIRY | RE |
| 5/11/2018 | 3:49 | [REDACTED] HUTCHINSON | [REDACTED] | SLUR DOCUMENTS | MD |
| 5/11/2018 | 3:51 | [REDACTED] BANCE | [REDACTED] | POST SALE | RE |
| 5/11/2018 | | | | | |
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CITY - 9
P . 7



PHILADELPHIA SHERIFF'S
SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|------------|-----|-------------------|----------|
| 5/18/2018 | 8:35 | Dillard | | bid ass. | RE |
| 5/18/2018 | 8:43 | Omara | | property info | RE |
| 5/18/2018 | 9:23 | Reddick | | file writ | MD |
| 5/18/2018 | 9:23 | Ross | | Bill issue | RE |
| 5/18/2018 | 9:35 | BRUNIAN | | filing writ | RE |
| 5/18/2018 | 9:40 | VOLODARSKI | | Question by props | RE |
| 5/18/2018 | 9:40 | LUBA | | filing writ | MD |
| 5/18/2018 | 9:40 | Jankins | | filing writ | MD |
| 5/18/2018 | 10:03 | SANTANA | | PROP INQUIRY | RE |
| 5/18/2018 | 10:24 | WALLACE | | FILE WRIT | MD |
| 5/18/2018 | 10:37 | DAVIS | | SALE INQUIRY | RE |
| 5/18/2018 | 10:41 | NICHOL | | FILE WRITS | MD |
| 5/18/2018 | 10:43 | MUSTAFA | | SETTLEMENT | RE |
| 5/18/2018 | 10:43 | MANLANDOW | | SETTLEMENT | RE |
| 5/18/2018 | 10:44 | BAKER | | SALE INQUIRY | RE |
| 5/18/2018 | 10:47 | ADORNO | | SALE INQUIRY | RE |
| 5/18/2018 | 10:48 | MORAN | | SALE INQUIRY | RE |
| 5/18/2018 | 10:48 | TORREZ | | SALE INQUIRY | RE |
| 5/18/2018 | 10:50 | SOCKET | | FILE WRITS | RE |
| 5/18/2018 | 10:57 | PAULINO | | SETTLEMENTS | RE |

TOTALS 53 RE 13 MD 1 OTHER

LO CITY - 9
P . 8



PHILADELPHIA SHERIFF'S SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|---------------|-----|------------------|----------|
| 5/18/2018 | 10:59 | BUTTON | | SETTLEMENT | RE |
| 5/18/2018 | 11:02 | HURR CAYA | | SETTLEMENT | RE |
| 5/18/2018 | 11:12 | MOORS | | SETTLEMENT | RE |
| 5/18/2018 | 11:18 | HENRY | | SETTLEMENT | RE |
| 5/18/2018 | 11:24 | CASTILLO | | SETTLEMENT | RE |
| 5/18/2018 | 11:26 | LEVY | | FILE WRIT | MD |
| 5/18/2018 | 11:29 | DILLARD | | SETTLEMENT | RE |
| 5/18/2018 | 11:30 | BUTLER | | | PARSONS |
| 5/18/2018 | 11:40 | SANTORO | | SETTLEMENTS | RE |
| 5/18/2018 | 11:44 | TEAM 6 | | SETTLEMENT | RE |
| 5/18/2018 | 11:45 | AL-Rawi | | Settlement | RE |
| 5/18/2018 | 11:49 | Salamun | | | RE |
| 5/18/2018 | 11:55 | Ohara | | Settlement | RE |
| 5/18/2018 | 11:59 | WALLER | | POST SALE | RE |
| 5/18/2018 | 12:08 | WAGNER WAGNER | | SETTLEMENT | RE |
| 5/18/2018 | 12:14 | NOBRUN | | SETTLEMENT | RE |
| 5/18/2018 | 12:14 | ZAMY | | SETTS SETTLEMENT | RE |
| 5/18/2018 | 12:14 | SYLVESTRÉ | | SETTLEMENT | RE |
| 5/18/2018 | 12:26 | GIL | | FILE WRITS | MD |
| 5/18/2018 | 12:53 | SCANLON | | PICK UP MEMOS | MD |



PHILADELPHIA SHERIFF'S
SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|-------------|-----|--------------|----------|
| 5/18/2018 | 12:54 | ASIAG | | SETTLEMENT | RE |
| 5/18/2018 | 12:54 | SHIMON | | SETTLEMENT | RE |
| 5/18/2018 | 12:56 | ADDY | | SETTLEMENT | RE |
| 5/18/2018 | 1:03 | MALINADO | | POST SALE | RE |
| 5/18/2018 | 1:03 | ROJAS | | POST SALE | RE |
| 5/18/2018 | 1:08 | COUP LAND | | LIENS | RE |
| 5/18/2018 | 1:10 | REYNOLDS | | FILE WRIT | MD |
| 5/18/2018 | 1:18 | SIMPSON | | TRANSFER BID | RE |
| 5/18/2018 | 1:18 | MORAZAY | | POST SALE | RE |
| 5/18/2018 | 1:18 | MARZENO | | POST SALE | RE |
| 5/18/2018 | 1:25 | MC CLOSKEY | | FILE ORDER | RE |
| 5/18/2018 | 1:46 | WILLIAMSON | | FILE WRIT | MD |
| 5/18/2018 | 1:54 | Scollon Jr. | | Writ | RE |
| 5/18/2018 | 2:15 | Rubin | | copy of sale | RE |
| 5/18/2018 | 2:40 | Brown | | Post Sale | RE |
| 5/18/2018 | 2:41 | Edouard | | Post Sale | RE |
| 5/18/2018 | 2:48 | Warfield | | Settlement | RE |
| 5/18/2018 | 2:57 | WILLIAMS | | SETTLEMENT | RE |
| 5/18/2018 | 3:00 | DADAMAY | | EJECTMENT | MD |
| 5/18/2018 | 3:00 | DIARRA | | EJECTMENT | MD |



PHILADELPHIA SHERIFF'S
SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|------|----------------|-----|------------|----------|
| 5/18/2018 | 3:05 | WHITE | | SETTLEMENT | RE |
| 5/18/2018 | 3:14 | SALAMAN | | POST SALE | RE |
| 5/18/2018 | 3:16 | [REDACTED] Kim | | LIENS | RE |
| 5/18/2018 | 3:18 | LAMBERT | | POST SALE | RE |
| 5/18/2018 | 3:20 | KUEHN | | WAIT | MD |
| 5/18/2018 | 3:22 | MALDANADO | | POST SALE | RE |
| 5/18/2018 | 3:22 | ROLAS | | POST SALE | RE |
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PHILADELPHIA SHERIFF'S
SIGN I SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|--------------|-----|------------------|----------|
| 5/25/2018 | 8:49 | UNDERWOOD | | FIRE ARM INQUIRY | FIU |
| 5/25/2018 | 9:09 | LOUGHERY | | DEED | RE |
| 5/25/2018 | 9:36 | JIMENEZ | | SETTLEMENT | RE |
| 5/25/2018 | 9:38 | PARKS | | FILE WRIT | MD |
| 5/25/2018 | 9:38 | PARKS, JR. | | FILE WRIT | MD |
| 5/25/2018 | 9:52 | BROWN | | FILE COMMENTS | MD |
| 5/25/2018 | 10:10 | RODRIGUEZ | | FILE WRIT | MD |
| 5/25/2018 | 10:38 | HUANG | | SETTLEMENT | RE |
| 5/25/2018 | 10:38 | TANG | | /SETTLEMENT | RE |
| 5/25/2018 | 10:39 | WILLIAMS | | REJECTMENT | MD |
| 5/25/2018 | 10:49 | WRIGHT | | SETTLEMENT | RE |
| 5/25/2018 | 11:19 | MURPHY | | DEED | RE |
| 5/25/2018 | 11:20 | RUSH | | SERVICE REFUND | MD |
| 5/25/2018 | 11:20 | RUSH | | SERVICE REFUND | MD |
| 5/25/2018 | 11:21 | BROWN | | POOP INQUIRY | RE |
| 5/25/2018 | 11:22 | DYDYSKY | | FILE WRIT | MD |
| 5/25/2018 | 11:29 | CANDIDO | | SETTLEMENT | RE |
| 5/25/2018 | 11:29 | BENJIG | | SETTLEMENT | RE |
| 5/25/2018 | 11:38 | OWENS | | FILE WRIT | MD |
| 5/25/2018 | 11:38 | PRESTON, JR. | | FILE DOCUMENT | RE |

TOTALS 20 RE 12 MD 4 OTHER

LO CITY - 9
P . 12



**PHILADELPHIA SHERIFF'S
SIGN I SHEET**



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|--------------|-----|--------------------------|----------|
| 5/25/2018 | 11:42 | KEENAN | | FILE APPEALS | RE |
| 5/25/2018 | 11:42 | MILLER, III | | FILE APPEALS | RE |
| 5/25/2018 | 11:43 | MCLAUGHLIN | | WRIT | MD |
| 5/25/2018 | 11:50 | STEFFA II | | INJUNCTION | CIVIL |
| 5/25/2018 | 11:50 | GARDNER | | INJUNCTION | CIVIL |
| 5/25/2018 | 12:02 | SCOLLON, JR. | | WRIT | RE |
| 5/25/2018 | 12:09 | YORKY | | SETTLEMENT | RE |
| 5/25/2018 | 12:16 | STEWART | | FILE COMMENTS | RE |
| 5/25/2018 | 12:16 | GRIGG | | FILE COMMENTS | RE |
| 5/25/2018 | 12:18 | MCQUILLAR | | FILE COMMENTS | RE |
| 5/25/2018 | 12:44 | BRYANT | | FILE PERSONNEL COMPLAINT | 1A) |
| 5/25/2018 | 12:45 | GRAY | | WRIT | MD |
| 5/25/2018 | 1:16 | Acevedo | | FILE WRIT | RE |
| 5/25/2018 | 1:18 | Mokhayere | | Complaint | |
| 5/25/2018 | 1:29 | Addy | | Settlement | RE |
| 5/25/2018 | 1:32 | Webb | | File writ | MD |
| 5/25/2018 | 2:23 | MIMS | | PEOP INQUIRY | RE |
| 5/25/2018 | | | | | |
| 5/25/2018 | | | | | |
| 5/25/2018 | | | | | |



PHILADELPHIA SHERIFF'S
SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|-------|-------------|-----|-------------------|----------|
| 6/1/2018 | 8:33 | O'MARA | | WRITS | RE |
| 6/1/2018 | 8:35 | THOMAS | | EJECTMENT | CIVIL |
| 6/1/2018 | 8:40 | -POWERS | | INTERVIEW | BIU |
| 6/1/2018 | 9:08 | STUM | | SETTLEMENT | RE |
| 6/1/2018 | 9:09 | MC KENDRICK | | FILE PETITION | RE |
| 6/1/2018 | 9:22 | STARIKOV | | FILE EXHIBITS | MD |
| 6/1/2018 | 9:22 | KAMALYANTS | | FILE EXHIBITS | MD |
| 6/1/2018 | 9:44 | NICHOL | | WRIT DROP OFF | MD |
| 6/1/2018 | 9:59 | TRAN | | Docket # for DEED | RE |
| 6/1/2018 | 10:10 | FENGOLA | | /ENICTION | CIVIL |
| 6/1/2018 | 10:14 | SPROSS | | FUNERAL PTION | MD |
| 6/1/2018 | 10:24 | SOCKET | | WRITS | RE |
| 6/1/2018 | 10:24 | GORDON | | MEETING | ALGARIN |
| 6/1/2018 | 10:42 | WALLACE-BEY | | LIENS | RE |
| 6/1/2018 | 10:45 | HUANG | | SETTLEMENT | RE |
| 6/1/2018 | 10:45 | YUAN | | SETTLEMENT | RE |
| 6/1/2018 | 10:45 | YUAN | | SETTLEMENT | RE |
| 6/1/2018 | 10:48 | BULLOCK | | SALE INFO | RE |
| 6/1/2018 | 10:54 | PERRY | | FILE ORDER | RE |
| 6/1/2018 | 11:08 | HICKS | | FILE WRIT | MD |

TOTALS 33 RE 14 MD 9 OTHER - LOCITY - 9
P. 14



PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|-------|-----------------|-----|--|--------------------------------|
| 6/1/2018 | 11:13 | ZLOTNICK | | FILE WRIT | MD |
| 6/1/2018 | 11:44 | HARRIS | | SETTLEMENT | RE |
| 6/1/2018 | 11:44 | SUBARAN | | SETTLEMENT | RE |
| 6/1/2018 | 11:55 | BOWIE | | FILING FOLLOW UP | MD |
| 6/1/2018 | 12:01 | ARES - DETERING | | FILE WRIT | MD |
| 6/1/2018 | 12:01 | ARES - DETERING | | FILE WRIT | MD |
| 6/1/2018 | 12:13 | MURPHY | | PICK UP CHECK ^{PUBLIC} RECORD | RE ^{RICK} TTER |
| 6/1/2018 | 12:20 | HOLLAND | | DROPPING OFF PAPERWORK | MD RE |
| 6/1/2018 | 12:21 | JENKINS | | WRIT OF EXECUTION | MD ^{RE} MD |
| 6/1/2018 | 12:24 | MCALBER | | SETTLEMENT | RE |
| 6/1/2018 | 12:25 | SHARPE | | INQUIRING ABOUT PROPERTY | RE |
| 6/1/2018 | 12:30 | ROSAS | | SETTLEMENT | RE |
| 6/1/2018 | 12:32 | CHOSCED | | SETTLEMENT | RE |
| 6/1/2018 | 1:07 | MULLEN | | PICKING UP WRIT OF POSSESSIONS | MD |
| 6/1/2018 | 1:13 | JONES | | FILE CLAIM FORM | MD |
| 6/1/2018 | 1:15 | KRISOGLOU | | SETTLEMENT | RE |
| 6/1/2018 | 1:16 | RICE | | PROP INQURY | RE |
| 6/1/2018 | 1:18 | WFLUGH | | SETTLEMENT | RE |
| 6/1/2018 | 1:27 | SABAGH | | SETTLEMENT | RE |
| 6/1/2018 | 1:38 | DELED | | SETTLEMENT | RE |



PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|------|----------------|-----|----------------------|----------|
| 6/1/2018 | 1:42 | DALY | | WRITS | MD |
| 6/1/2018 | 1:43 | MC FLEER | | SETTLEMENT | RE |
| 6/1/2018 | 1:48 | SCANLON | | PICK UP XMINTS | MD |
| 6/1/2018 | 2:00 | PATTON | | FILE ORDER | RE |
| 6/1/2018 | 2:04 | FLEMING | | PICK UP CHECK | PART |
| 6/1/2018 | 2:05 | NGUYEN | | SETTLEMENT | RE |
| 6/1/2018 | 2:14 | CANDELL | | PICK UP FORMS | MD |
| 6/1/2018 | 2:16 | BOMSTEIN | | REDEMPTION | RE |
| 6/1/2018 | 2:24 | AD | | SETTLEMENT | RE |
| 6/1/2018 | 2:24 | CANTON | | FILE CLAIM FORM | PART |
| 6/1/2018 | 2:48 | MOSLEY | | PICK UP FORM | PART |
| 6/1/2018 | 3:20 | DAVIS | | CHECKING ON PROPERTY | RE |
| 6/1/2018 | 3:25 | GARCIA-INFANTE | | SETTLEMENT | RE |
| 6/1/2018 | 3:25 | NOBRUN | | SETTLEMENT | RE |
| 6/1/2018 | 3:29 | SINGHAL | | CORRECTING A DEED | RE |
| 6/1/2018 | | | | | |
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PHILADELPHIA SHERIFF'S
SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|-------|-----------|-----|-----------------|----------|
| 6/8/2018 | 8:38 | O'MARA | | WRIT | RE |
| 6/8/2018 | 8:47 | HUYNH | | STLMNT | RE |
| 6/8/2018 | 9:25 | KENON | | EVCTN | MD |
| 6/8/2018 | 9:25 | KENON | | EVCTN | MD |
| 6/8/2018 | 9:34 | MURRAY | | PROP INQURY | RE |
| 6/8/2018 | 9:35 | BRENNAN | | WRIT | RE |
| 6/8/2018 | 10:18 | ALLEN | | ICMNT SRVC | MD |
| 6/8/2018 | 10:19 | SPECHT | | SRVC FEE INQURY | MD |
| 6/8/2018 | 10:50 | COLEMAN | | MTG | NR |
| 6/8/2018 | 10:51 | SALISBURY | | MTG | TYER |
| 6/8/2018 | 10:57 | NICHOL | | WRITS | MD |
| 6/8/2018 | 11:00 | REGO | | ACKUPCHK | ACCT. |
| 6/8/2018 | 11:01 | RAMIREZ | | SMNR | RE |
| 6/8/2018 | 11:03 | UNDERWOOD | | WRIT | MD |
| 6/8/2018 | 11:04 | SOCKET | | WRITS | RE |
| 6/8/2018 | 11:09 | VALDEZ | | SMNR | RE |
| 6/8/2018 | 11:10 | LEAL | | SMNR | RE |
| 6/8/2018 | 11:14 | UDDIN | | LIEN | RE |
| 6/8/2018 | 11:14 | AMIN | | LIENS | RE |
| 6/8/2018 | 11:23 | GRANOVSKY | | STLMNT | RE |

TOTALS 59 RE 20
19 MD 3 OTHER

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PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|-------|----------|-----|-----------------|----------|
| 6/8/2018 | 11:23 | MANIRE | | LIENS | RE |
| 6/8/2018 | 11:25 | NOVOA | | SMNR | RE |
| 6/8/2018 | 11:35 | CAO | | STLMNT | RE |
| 6/8/2018 | 11:36 | EDWARDS | | SPK FEE INQUIRY | MD |
| 6/8/2018 | 11:40 | KENNEDY | | LIENS | RE |
| 6/8/2018 | 11:44 | DYDYSKY | | WRIT | MD |
| 6/8/2018 | 11:57 | MUHAMMAD | | PROP INQUIRY | RE |
| 6/8/2018 | 11:58 | HARRIS | | LIENS | RE |
| 6/8/2018 | 12:04 | TOOMER | | PICK UP EXMNTS | MD |
| 6/8/2018 | 12:26 | WANG | | LIENS | RE |
| 6/8/2018 | 12:28 | ROBINSON | | FILE WRIT | MD |
| 6/8/2018 | 12:37 | PIERUCCI | | SMNR | RE |
| 6/8/2018 | 12:43 | DOWNING | | SMNR | RE |
| 6/8/2018 | 12:5 | HUANG | | SMNR | RE |
| 6/8/2018 | 12:50 | PENN | | SMNR | RE |
| 6/8/2018 | 12:50 | BELOW | | SMNR | RE |
| 6/8/2018 | 12:50 | WILL | | SMNR | RE |
| 6/8/2018 | 12:52 | WOODS | | STLMNT | RE |
| 6/8/2018 | 12:53 | ZHENG | | SMNR | RE |
| 6/8/2018 | 1:00 | DENIS | | SMNR | RE |



PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|------|------------|-----|--------------------|----------|
| 6/8/2018 | 1:03 | AGA | | STLMNT | RE |
| 6/8/2018 | 1:13 | PEARSON | | SM NR | RE |
| 6/8/2018 | 1:13 | WADZIN JR | | SM NR | RE |
| 6/8/2018 | 1:13 | SCOLLON JR | | NVR DMNTS | RE |
| 6/8/2018 | 1:18 | SANDERS | | SM NR | RE |
| 6/8/2018 | 1:20 | GOUDA | | STLMNT | RE |
| 6/8/2018 | 1:26 | KOBIELNIK | | | |
| 6/8/2018 | 1:28 | REEA | | SM NR | RE |
| 6/8/2018 | 1:32 | Shum | | New Invoice | RE |
| 6/8/2018 | 1:37 | Grasty | | Assignment of Bd | RE |
| 6/8/2018 | 1:37 | OSUJI | | Assignment of Bd | RE |
| 6/8/2018 | 1:38 | Simmons | | Writ | MO |
| 6/8/2018 | | Feamster | | Exemption | |
| 6/8/2018 | 1:45 | CHERRY | | WRIT OF POSSESSION | MO |
| 6/8/2018 | 1:43 | Patterson | | | |
| 6/8/2018 | 1:47 | POWELL | | WRIT OF POSSESSION | MO |
| 6/8/2018 | 1:48 | YUAN | | SETTLEMENT | RE |
| 6/8/2018 | 1:49 | LIXIANG | | SETTLEMENT | RE |
| 6/8/2018 | 1:49 | RODRIGUEZ | | WRITS | MO |
| 6/8/2018 | 1:53 | COUPLAND | | SETTLEMENT | RE |



PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|------|-----------|-----|--------------|----------|
| 6/8/2018 | 1:57 | LAU | | SETTLEMENT | RE |
| 6/8/2018 | 2:00 | Edwards | | Summons | MD |
| 6/8/2018 | 2:06 | TIMMONS | | STLMNT | RE |
| 6/8/2018 | 2:06 | DAVISON | | STLMNT | RE |
| 6/8/2018 | 2:12 | LAU | | SETTLEMENT | RE |
| 6/8/2018 | 2:16 | BOSTIC | | EJECTMENT | MD |
| 6/8/2018 | 2:20 | MEIR | | LIENS | RE |
| 6/8/2018 | 2:28 | O'HARA | | REFUND | RE |
| 6/8/2018 | 2:29 | BURDINE | | FILE DEBITS | MD |
| 6/8/2018 | 2:35 | BARNES | | SALE INQUIRY | RE |
| 6/8/2018 | 2:35 | WILLIAMS | | SALE INQUIRY | RE |
| 6/8/2018 | 3:01 | LANE | | DEED | RE |
| 6/8/2018 | 3:13 | OSUJI | | STLMNT | RE |
| 6/8/2018 | 3:13 | GRASZY | | STLMNT | RE |
| 6/8/2018 | 3:18 | WREHSMUTH | | LIENS | RE |
| 6/8/2018 | 3:20 | ULUSAL | | STLMNT | RE |
| 6/8/2018 | 3:20 | CAUDAR | | STLMNT | RE |
| 6/8/2018 | 3:24 | Nauyen | | Settlement | RE |
| 6/8/2018 | 3:32 | SASSO | | FILE WRIT | MD |
| 6/8/2018 | 3:45 | NICHOL | | WRITS | MD |



PHILADELPHIA SHERIFF'S
SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|----------|------|----------|-----|-------------|----------|
| 6/8/2018 | 3:47 | OKURA HE | | SETTLMNT | RE |
| 6/8/2018 | 3:59 | WILLIS | | PROP INQURY | RE |
| 6/8/2018 | 4:01 | ROJAS | | PROP INQURY | RE |
| 6/8/2018 | 4:03 | RANCE | | PROP INQURY | RE |
| 6/8/2018 | 4:09 | MINGO | | FILE WRIT | MD |
| 6/8/2018 | | | | | |
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PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|-----------|-----|----------------|----------|
| 6/15/2018 | 8:34 | TRINH | | POST SALE | MD |
| 6/15/2018 | 8:37 | POLLINS | | WRIT | MD |
| 6/15/2018 | 8:38 | KAISER | | FINGERPRINTING | BIU |
| 6/15/2018 | 8:39 | O'MARA | | WRITS | RE |
| 6/15/2018 | 8:42 | THOMAS | | FINGERPRINTING | BIU |
| 6/15/2018 | 8:57 | LAPATINA | | INTERVIEW | HR |
| 6/15/2018 | 9:34 | NGUYEN | | STLMNT | RE |
| 6/15/2018 | 9:45 | BRENNAN | | WRITS | RE |
| 6/15/2018 | 9:50 | SIMMONS | | STLMNT | RE |
| 6/15/2018 | 9:56 | ASCH | | FILE WRIT | MD |
| 6/15/2018 | 9:57 | TRINH | | EJECTMENT | MD |
| 6/15/2018 | 9:57 | SARMIENTO | | FILE WRIT | MD |
| 6/15/2018 | 10:10 | WILLIAMS | | FILE COMPLAINT | MD |
| 6/15/2018 | 10:12 | KAMARA | | STLMNT | RE |
| 6/15/2018 | 10:14 | SESAY | | FILE COMPLAINT | MD |
| 6/15/2018 | 10:15 | FANTAUZZI | | INTERVIEW | HR |
| 6/15/2018 | 10:38 | Clark | | write service | MD |
| 6/15/2018 | 10:47 | Khli | | property info | RE |
| 6/15/2018 | 10:47 | Obeudiyat | | property info | RE |
| 6/15/2018 | 10:48 | ROME | | EVICTON | MD |

TOTALS 38 RE 22 MD 4 OTHER - LO CITY - 9
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PHILADELPHIA SHERIFF'S
SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|------------|-----|-----------------|----------|
| 6/15/2018 | 10:50 | PERUNGAVUR | | SALE INQUIRY | RE |
| 6/15/2018 | 11:00 | SANTORO | | POST SALE | RE |
| 6/15/2018 | 11:01 | FUGUET | | SETTLEMENT | RE |
| 6/15/2018 | 11:04 | NG | | SETTLEMENT | RE |
| 6/15/2018 | 11:04 | CHEN | | SETTLEMENT | RE |
| 6/15/2018 | 11:18 | HOLLEY | | INUR ACCOUNTS | RE |
| 6/15/2018 | 11:25 | SNOW | | SETTLEMENT | RE |
| 6/15/2018 | 11:28 | ROSARIO | | CASE INQUIRY | MD |
| 6/15/2018 | 11:34 | SMITH | | SALE POSTPONENT | RE |
| 6/15/2018 | 11:34 | DEVLIN | | SALE POSTPONENT | RE |
| 6/15/2018 | 11:35 | RAMOS | | FILE WRIT | MD |
| 6/15/2018 | 11:37 | GOUDA | | SETTLEMENT | RE |
| 6/15/2018 | 11:57 | ASIAG | | SETTLEMENT | RE |
| 6/15/2018 | 12:56 | Carroll | | File writ | MD |
| 6/15/2018 | 12:48 | Wallace | | | MD |
| 6/15/2018 | 12:56 | Ingram, | | Writ of Ex | MD |
| 6/15/2018 | 12:58 | Chang | | Settlement | RE |
| 6/15/2018 | 1:33 | Simmons | | File writ | MD |
| 6/15/2018 | 1:33 | Heilung | | | RE |
| 6/15/2018 | 1:34 | Arjon | | Settlement | RE |

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PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|------|--------------|-----|----------------------|----------|
| 6/15/2018 | 1:36 | Disla | | Settlement | RE |
| 6/15/2018 | 1:37 | Saneekhawam | | Question Re Property | RE |
| 6/15/2018 | 1:43 | MESSINA | | SETTLMNT | RE |
| 6/15/2018 | 1:47 | LUDZNER | | PICK UP CHK | RE |
| 6/15/2018 | 1:55 | CASSIDY | | FILE WRIT | MD |
| 6/15/2018 | 2:00 | PRESSLEY | | STTLMNT | RE |
| 6/15/2018 | 2:00 | SKRZNICHENKO | | STTLMNT | RE |
| 6/15/2018 | 2:01 | SOLOMON | | STTLMNT | RE |
| 6/15/2018 | 2:07 | EARLE | | DEED CORRECTN | RE |
| 6/15/2018 | 2:11 | RHODEN | | STTLMNT SRVC | RE |
| 6/15/2018 | 2:21 | HOOKS | | EVICTON | RE |
| 6/15/2018 | 2:24 | BERRIOS | | FILE WRIT | MD |
| 6/15/2018 | 2:25 | KEENAN | | WRITS | RE/MD |
| 6/15/2018 | 2:39 | MEDLEY | | STTLMNT | RE |
| 6/15/2018 | 2:43 | BABALOLA | | PROP INQUIRY | RE |
| 6/15/2018 | 2:47 | CHARLES | | CUSTODY ORDER | MD |
| 6/15/2018 | 2:52 | VERAS | | STTLMNT | RE |
| 6/15/2018 | 2:53 | CLARK | | EXR EXMNTS | MD |
| 6/15/2018 | 3:03 | MICKELS | | STTLMNT | RE |
| 6/15/2018 | 3:08 | DO | | STTLMNT | RE |



PHILADELPHIA SHERIFF'S
SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|------|---------|-----|---------------|----------|
| 6/15/2018 | 3:09 | SANTANA | | STLMAT | RE |
| 6/15/2018 | 3:16 | SALAMAN | | FILE EXHIBITS | MD |
| 6/15/2018 | 3:16 | ROSARIO | | FILE EXHIBITS | MD |
| 6/15/2018 | | | / | | |
| 6/15/2018 | | | | | |
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PHILADELPHIA SHERIFF'S
SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|----------------|-----|--------------------------|----------|
| 6/22/2018 | 8:31 | FOX | | STLMNT | RE |
| 6/22/2018 | 8:31 | O'MARA | | WRITS | RE |
| 6/22/2018 | 8:33 | CUEVAS | | STLMNT | RE |
| 6/22/2018 | 8:40 | COLON | | EVICTON | CIVIL |
| 6/22/2018 | 8:40 | GUTIERREZ | | EVICTON | CIVIL |
| 6/22/2018 | 9:00 | KANOGU | | FILE WRITS | MD |
| 6/22/2018 | 9:57 | EDUARDINA | | QUESTIONS ABOUT PROPERTY | REFD |
| 6/22/2018 | 9:57 | CARRASQUILLO | | QUESTION ABOUT PROPERTY | REFD |
| 6/22/2018 | 10:13 | MORSE | | QUESTIONS ABOUT LOTS | RE |
| 6/22/2018 | 10:21 | SOCKET | | WRITS | RE |
| 6/22/2018 | 10:23 | GRAMLICH | | | RE |
| 6/22/2018 | 10:24 | WASHINGTON JR. | | FILE COMMENTS | MD |
| 6/22/2018 | 10:25 | CLARK | | FILE WRIT | MD |
| 6/22/2018 | 10:26 | BRUNO | | MTG | SMART |
| 6/22/2018 | 10:49 | MILES | | FILE WRIT | MD |
| 6/22/2018 | 10:55 | JAMES | | SALE INFO | RE |
| 6/22/2018 | 10:57 | SON | | FILE COMMENTS | MD |
| 6/22/2018 | 11:08 | BENDER | | LIENS | RE |
| 6/22/2018 | 11:09 | TSAO | | FILE COMMENTS | RE |
| 6/22/2018 | 11:11 | CORCORAN | | WRITS | MD |

TOTALS 28 RE 18 MD 7 OTHR - LO CITY - 9
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PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|-----------------------|-------|-------------------------|------------|
| 6/22/2018 | 11:12 | GARAGAN, JR. | | ALUR EXMNTS | HART |
| 6/22/2018 | 11:13 | SANTORO | | STTLMNT | RE |
| 6/22/2018 | 11:33 | BROWN | | FILE EXMNT | MD |
| 6/22/2018 | 11:35 | DELEO | | STTLMNT | RE |
| 6/22/2018 | 11:37 | ABDEL DAYEM M. HASSAN | 1 579 | FILE EXMNTS | MD |
| 6/22/2018 | 11:59 | Edon | | Euction | MD |
| 6/22/2018 | 11:59 | Gutierrez | | Euction | MD |
| 6/22/2018 | 12:01 | Washington | | Subpoena | Supervisor |
| 6/22/2018 | 12:17 | WALLACE | | WRIT OF POS | MD |
| 6/22/2018 | 12:18 | LOPEZ | | QUESTION ABOUT PROPERTY | RE |
| 6/22/2018 | 12:19 | RUIZ | | QUESTION ABOUT PROPERTY | RE |
| 6/22/2018 | 12:19 | SALARZA | | QUESTION ABOUT PROPERTY | RE |
| 6/22/2018 | 12:19 | RUIZ | | QUESTION ABOUT PROPERTY | RE |
| 6/22/2018 | 12:26 | BEN-SAMUEL | | WRITS | MD |
| 6/22/2018 | 12:40 | WILLIAMS | | FILE CLAIM FORM | HART |
| 6/22/2018 | 12:49 | APPELBAUM | | STTLMNT | RE |
| 6/22/2018 | 1:11 | BLUMBERG-RUBIN | | ALUR EXMNTS | HART |
| 6/22/2018 | 1:29 | WATTS | | PROP INQUIRY | RE |
| 6/22/2018 | 1:31 | HILL | | PROP INQUIRY | RE |
| 6/22/2018 | 1:49 | JARRETT | | POST SALE | RE |

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PHILADELPHIA SHERIFF'S
SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|------|--------------|-----|---------------|----------|
| 6/22/2018 | 1:58 | EL-GHARBAQUI | | FILE WRIT | RE |
| 6/22/2018 | 2:00 | UNDERWOOD | | POST SALE | RE |
| 6/22/2018 | 2:04 | SCOLLON, JR | | WRITS | RE |
| 6/22/2018 | 2:06 | ALLEN | | FILING FEES | MD |
| 6/22/2018 | 2:27 | CASSIDY | | FILE WRIT | MD |
| 6/22/2018 | 2:27 | PAULINO | | STTLMNT | RE |
| 6/22/2018 | 2:30 | MEDLEY | | STTLMNT | RE |
| 6/22/2018 | 3:02 | Graham | | Settlement | RE |
| 6/22/2018 | 3:03 | Karafousa | | Hellas Passat | RE |
| 6/22/2018 | 3:04 | Paulino | | Settlement | RE |
| 6/22/2018 | 3:12 | SANTORO | | STTLMNT | RE |
| 6/22/2018 | 3:46 | SMITH | | NVR XMENTS | MD |
| 6/22/2018 | 3:56 | GONZALEZ | | NVR XMENTS | MD |
| 6/22/2018 | | | | | |
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| 6/22/2018 | | | | | |



PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|-----------|-----|--------------|----------|
| 6/29/2018 | 8:34 | O'MARA | | WRITS | RE |
| 6/29/2018 | 8:52 | FLACCO | | FEE INFO | MD |
| 6/29/2018 | 9:00 | WATSON | | SALP INQURY | RE |
| 6/29/2018 | 9:16 | GRANIVSON | | LIENS | RE |
| 6/29/2018 | 9:16 | PATTERSON | | LIENS | RE |
| 6/29/2018 | 9:28 | MARTINEZ | | STLMNT | RE |
| 6/29/2018 | 9:44 | MOFFIT | | DEED | RE |
| 6/29/2018 | 9:44 | ROGER | | DEED | RE |
| 6/29/2018 | 10:08 | RUIZ | | Settlement | RE |
| 6/29/2018 | 10:08 | RUIZ | | Settlement | RE |
| 6/29/2018 | 10:16 | PERALTA | | STLMNT | RE |
| 6/29/2018 | 10:17 | SAM | | STLMNT | RE |
| 6/29/2018 | 10:27 | WISE | | GARNISHMNT | MD |
| 6/29/2018 | 10:29 | SUDLER | | MTG | SMART |
| 6/29/2018 | 10:31 | GIRON | | INFO | RE |
| 6/29/2018 | 10:36 | COYNE | | REDEMPTION | ACCT. |
| 6/29/2018 | 10:56 | KODRA | | SALE INQURY | MD |
| 6/29/2018 | 11:07 | JACK | | DLVR AKMNTS | CIVIL |
| 6/29/2018 | 11:14 | SHIHU | | SALE INQURY | RE |
| 6/29/2018 | 11:22 | JACOBS | | Sheriff Sale | RE |

TOTALS

39 RE

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CITY - 9
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PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|-------|-----------------|-----|-------------------|----------|
| 6/29/2018 | 11:39 | Peratta | | Settlement | RE |
| 6/29/2018 | 11:40 | Trang | | Settlement | RE |
| 6/29/2018 | | Perazzo | | | FIL |
| 6/29/2018 | | Bosch | | | PIL |
| 6/29/2018 | 12:00 | HILL | | ISSUE w/ PROPERTY | FO |
| 6/29/2018 | 12:05 | ESHETE | | EJECTMENT | CIVIL |
| 6/29/2018 | 12:05 | DUDROFF | | EJECTMENT | CIVIL |
| 6/29/2018 | 12:06 | WILLIAMS | | WRIT OF POS | MD |
| 6/29/2018 | 12:06 | FORD | | WRIT OF POS | MD |
| 6/29/2018 | 12:10 | SCOTT | | SECOND BIDDER | RE |
| 6/29/2018 | 12:29 | KEENAN | | WRITS | RE/MD |
| 6/29/2018 | 12:45 | EXILUS | | ALVR EXMNTS | MD |
| 6/29/2018 | 12:46 | TRAN | | STTLMNT | RE |
| 6/29/2018 | 12:48 | BULLOCK-SIMMONS | | STTLMNT | RE |
| 6/29/2018 | 12:48 | WOOD | | STTLMNT | RE |
| 6/29/2018 | 12:50 | PITTS | | STTLMNT | RE |
| 6/29/2018 | 12:50 | MELHOR | | PICK UP FORMS | RE |
| 6/29/2018 | 1:08 | STROH | | FILE COMPLNT | MD |
| 6/29/2018 | 1:08 | BEDERMAN | | STTLMNT | RE |
| 6/29/2018 | 1:10 | SCOLLON | | WRITS | RE |



PHILADELPHIA SHERIFF'S SIGN IN SHEET



| DATE | TIME | NAME | OLN | OTHER | LOCATION |
|-----------|------|----------------|-----|-------------------|----------|
| 6/29/2018 | 1:12 | BARNARD | | FILE XMNTS | MD |
| 6/29/2018 | 1:16 | DOUGHERTY | | PICK UP CHK. | TYER |
| 6/29/2018 | 1:18 | ZHAO | | STLMNT | RE |
| 6/29/2018 | 1:20 | PECKOWYCH | | POST SALE | RE |
| 6/29/2018 | 1:22 | NGUYEN | | LIENS | RE |
| 6/29/2018 | 1:47 | Donovan | | Settlement | RE |
| 6/29/2018 | 1:47 | Castro-Serrano | | Settlement | RE |
| 6/29/2018 | 1:47 | Ehrlich | | Settlement | RE |
| 6/29/2018 | 1:47 | Kalani | | Lien Removal | RE |
| 6/29/2018 | 1:54 | Silverstein | | Delivering letter | RE |
| 6/29/2018 | 1:59 | Delgado | | General question | RE |
| 6/29/2018 | 2:01 | Branch | | Lien Removal | RE |
| 6/29/2018 | 2:17 | Leon | | File writ. | MD |
| 6/29/2018 | 2:24 | Simmers | | Settlement | RE |
| 6/29/2018 | 2:24 | Solomon | | Settlement | RE |
| 6/29/2018 | 2:28 | McQuinn | | Settlement | RE |
| 6/29/2018 | 2:46 | FOREMAN | | PICK UP CHKK | ACCT. |
| 6/29/2018 | 2:52 | CASSIDY | | WRIT | MD |
| 6/29/2018 | 3:00 | WRIGHT | | STLMNT | RE |
| 6/29/2018 | 3:27 | BLOISE | | FILE WRIT | MD |
| | 3:58 | JONES | | FILE WRIT | MD |

6-1

Jetaria Taylor <[REDACTED]@gmail.com>

Mon 12/9/2019 7:28 AM

To: Jetaria Taylor <Jetaria.Taylor@Phila.gov>

External Email Notice. This email comes from outside of City government. Do not click on links or open attachments unless you recognize the sender.

6-1

3864 poplar 2:02 21 day
4087 Lancaster Ave door 2:11
4837 fairmount beige door 2:33
460 Dearborn white door 2:25
5009 Ogden boarded door 2:29
342 n 52nd brown 2:32
416 N sickles boarded door 2:35
643 N 57th blk screen door 2:38
637 n frazier white door 2:50
1239 N 54th white door 2:53
1416 N Allison 2:58 Final 2:58
1735 n Robinson black screen door 3:05
546 N 63 black screen 3:14
6210 callowhill 3:18 blk screen door
351 n Robinson 3:19 gate
30 n Robinson st 3:22 brown door
146 S 62nd 3:46 Final
6115 Irving white door 3:48
212 S 59th white 3:53
5861 Cedar Final 3:58
5721 pemberton white screen 4:00
5530 catherine blk screen 4:03
5339 pine st white 4:06
207 S 49th blk screen 4:15

Sent from my iPhone

C I T Y - 1 0

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Lyndel Toppin
146 S. 62nd Street
Philadelphia, PA 19139

Debtor.

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:
:
:
:

CHAPTER 13

Case No. 18-13098-MDC

Lyndel Toppin
Debtor/Plaintiff
v.

:
:
:

Adv. Proc. No. 18-00137-MDC

Jewell Williams
Sheriff of the City of Philadelphia
In his official capacity
Land Title Building - Fifth Floor
100 South Broad Street
Philadelphia, PA 19110
Defendant.

:
:
:
:
:
:
:

and,

:

Abdeldayem Hassan a/k/a Abdeldyem Hassan
309 Barker Avenue
Lansdowne, PA 19050
Defendant.

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:
:
:
:

**Declaration of Barrington Whyte in Support of Lyndel Toppin's
Motion for Judgment on the Pleadings**

I, Barrington Whyte, declare:

1. I have personal knowledge of the matters set forth herein.
2. I reside with my Uncle, Lyndel Toppin and I attest that he experienced undue frustration, anxiety, and mental anguish as a result of the willful conduct of Jewell Williams, Sheriff of the City of Philadelphia and Abdeldayem Hassan in repeatedly visiting our residence on May 18, 2018; May 24, 2018; May 30, 2018; June 1, 2018; June 5, 2018; and June 7, 2018 as outlined in the Complaint.

Declaration of Barrington Whyte

C I T Y - 1 1
P . 1

3. I attest that I personally witnessed by Uncle, Lydel Toppin experience headaches; loss of sleep; anxiety; dread, and a general loss of enjoyment of life due to the repeated visits by Jewell Williams, Sheriff of the City of Philadelphia.

4. I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct and that this declaration was executed at the date set forth below in Philadelphia, Pennsylvania.

Date: May 23, 2019

/s/ Barrington Whyte

Declaration of Barrington Whyte

C I T Y - 1 1
P . 2

Printer Options Dayforce



Employer Name: Au Bon Pain Corp
Employer Phone: 617-423-2100
Employer Address: 1 Au Bon Pain Way
 Boston, MA 02210

Employee Name: LYNDLE TOPPIN
Employee #: 102768
Employee Address: 5813 LANSLOWNE AVE
 PHILADELPHIA, PA 19131
Department: Cafe
Job Title: Guest Service Representative

Pay Date: 5/30/2018
Pay Period: 5/18/2018 - 5/24/2018
Deposit Advice #: 205104488
Pay Frequency: Weekly
Pay Rate: 9.5500
Federal Filing Status: Single
Federal Exemptions: 1/10.00
Local Exemptions: 1 (Philadelphia)
State Filing Status: Single (PA)
State Exemptions: 1/10.00 (PA)

| | Current 5/18/2018 - 5/24/2018 | | | YTD As of 5/24/2018 | |
|-----------------------------|----------------------------------|------------------|------------------|------------------------|--------------------|
| | Hours/Units | Rate | Amount | Hours/Units | Amount |
| Earnings | 21.62 | | \$ 206.47 | 492.87 | \$ 5,706.93 |
| Regular | 21.62 | 9.5500 | \$ 206.47 | 492.87 | \$ 4,766.93 |
| Bonus - Service Awards | | | | | \$ 1,060.00 |
| Taxes | | | \$ 35.84 | | \$ 1,207.34 |
| Fed W/H | | | \$ 5.55 | | \$ 370.10 |
| FICA EE | | | \$ 12.80 | | \$ 353.83 |
| Fed MWT EE | | | \$ 2.99 | | \$ 82.75 |
| PA W/H | | | \$ 6.34 | | \$ 175.19 |
| PA UT EE | | | \$ 0.13 | | \$ 3.43 |
| PhiCityW/H | | | \$ 8.03 | | \$ 222.04 |
| Post-Tax Deductions | | | \$ 11.37 | | \$ 250.14 |
| Aetna STD Post-Tax | | | \$ 3.68 | | \$ 80.96 |
| Aetna Dental EE | | | \$ 4.67 | | \$ 102.74 |
| Aetna Vision EE | | | \$ 1.05 | | \$ 23.10 |
| Aetna Life Insurance Family | | | \$ 1.97 | | \$ 43.34 |
| | Routing # | Account # | Amount | | Amount |
| Net Pay | | | \$ 159.26 | | \$ 4,249.45 |
| Payroll Card | 064204594 | XXXXX5194 | \$ 159.26 | | |

Accruals & Balances

ETO Hourly Balance: 40.00 Hours

C I T Y - 1 2
 P . 1

Printer Options Dayforce



Employer Name: Au Bon Pain Corp
Employer Phone: 617-423-2100
Employer Address: 1 Au Bon Pain Way
Boston, MA 02210

Employee Name: LYNDIE TOPPIN
Employee #: 102788
Employee Address: 5813 LANSDOWNE AVE
PHILADELPHIA, PA 19131
Department: Cafe
Job Title: Guest Service Representative

Pay Date: 5/23/2018
Pay Period: 5/11/2018 - 5/17/2018
Deposit Advice #: 204222469
Pay Frequency: Weekly
Pay Rate: 9.5500
Federal Filing Status: Single
Federal Exemptions: 1/10.00
Local Exemptions: 1 (Philadelphia)
State Filing Status: Single (PA)
State Exemptions: 1/10.00 (PA)

| | Current 5/11/2018 - 5/17/2018 | | | YTD As of 5/17/2018 | |
|-----------------------------|----------------------------------|------------------|------------------|------------------------|--------------------|
| | Hours/Units | Rate | Amount | Hours/Units | Amount |
| Earnings | 20.68 | | \$ 197.49 | 471.25 | \$ 4,500.46 |
| Regular | 20.68 | 9.5500 | \$ 197.49 | 471.25 | \$ 4,500.46 |
| Taxes | | | \$ 33.63 | | \$ 804.79 |
| Fed W/H | | | \$ 4.65 | | \$ 144.55 |
| FICA EE | | | \$ 12.25 | | \$ 279.03 |
| Fed MWT EE | | | \$ 2.87 | | \$ 65.26 |
| PA W/H | | | \$ 6.06 | | \$ 138.15 |
| PA UT EE | | | \$ 0.12 | | \$ 2.70 |
| PhnCtyW/H | | | \$ 7.68 | | \$ 175.10 |
| Post-Tax Deductions | | | \$ 11.37 | | \$ 238.77 |
| Aetna STD Post-Tax | | | \$ 3.68 | | \$ 77.28 |
| Aetna Dental EE | | | \$ 4.67 | | \$ 98.07 |
| Aetna Vision EE | | | \$ 1.05 | | \$ 22.05 |
| Aetna Life Insurance Family | | | \$ 1.97 | | \$ 41.37 |
| | Routing # | Account # | Amount | | Amount |
| Net Pay | | | \$ 152.49 | | \$ 3,456.90 |
| Payroll Card | 004296594 | XXXXXS194 | \$ 152.49 | | |

Accruals & Balances

ETO Hourly Balance: 40.00 Hours

CITY - 12
P . 2



Printer Options Dayforce



Employer Name: Au Bon Pain Corp
Employer Phone: 617-423-2100
Employer Address: 1 Au Bon Pain Way
 Boston, MA 02210

Employee Name: LYRDEL TOPPIN
Employee #: 102788
Employee Address: 5813 LANSDOWNE AVE
 PHILADELPHIA, PA 19131
Department: Cafe
Job Title: Guest Service Representative

Pay Date: 5/16/2018
Pay Period: 5/4/2018 - 5/10/2018
Deposit Advice #: 203423642
Pay Frequency: Weekly
Pay Rate: 9.5500
Federal Filing Status: Single
Federal Exemptions: 1 (\$0.00)
Local Exemptions: 1 (Philadelphia)
State Filing Status: Single (PA)
State Exemptions: 1 (\$0.00 (PA))

| | Current | | | YTD | |
|-----------------------------|----------------------|------------------|------------------|-----------------|--------------------|
| | 5/4/2018 - 5/10/2018 | | | As of 5/10/2018 | |
| | Hours/Units | Rate | Amount | Hours/Units | Amount |
| Earnings | 21.00 | | \$ 200.55 | 450.57 | \$ 4,302.97 |
| Regular | 21.00 | 9.5500 | \$ 200.55 | 450.57 | \$ 4,302.97 |
| Taxes | | | \$ 34.38 | | \$ 771.16 |
| Fed W/H | | | \$ 4.96 | | \$ 139.90 |
| FICA EE | | | \$ 12.43 | | \$ 286.78 |
| Fed MWT EE | | | \$ 2.90 | | \$ 62.39 |
| PA W/H | | | \$ 6.16 | | \$ 132.09 |
| PA UT EE | | | \$ 0.12 | | \$ 2.58 |
| PhilCityW/H | | | \$ 7.81 | | \$ 167.42 |
| Post-Tax Deductions | | | \$ 11.37 | | \$ 227.40 |
| Aetna STD Post-Tax | | | \$ 3.68 | | \$ 73.60 |
| Aetna Dental EE | | | \$ 4.67 | | \$ 93.40 |
| Aetna Vision EE | | | \$ 1.05 | | \$ 21.00 |
| Aetna Life Insurance Family | | | \$ 1.97 | | \$ 39.40 |
| | Routing # | Account # | Amount | | Amount |
| Net Pay | | | \$ 154.80 | | \$ 3,304.41 |
| Payroll Card | 0642995594 | XXXXX5194 | \$ 154.80 | | |

Accruals & Balances

ETO Hourly Balance: 40.00 Hours

CITY - 12
P . 3



Printer Options Dayforce



Employer Name: Au Bon Pain Corp
Employer Phone: 617-423-2100
Employer Address: 1 Au Bon Pain Way
 Boston, MA 02210

Employee Name: LYNDLE TOPPIN
Employee #: 102788
Employee Address: 5813 LANSDOWNE AVE
 PHILADELPHIA, PA 19131
Department: Cafe
Job Title: Guest Service Representative

Pay Date: 5/9/2018
Pay Period: 4/27/2018 - 5/3/2018
Deposit Advice #: 202505824
Pay Frequency: Weekly
Pay Rate: 9.5500
Federal Filing Status: Single
Federal Exemptions: 1/10.00
Local Exemptions: 1 (Philadelphia)
State Filing Status: Single (PA)
State Exemptions: 1/10.00 (PA)

| | Current 4/27/2018 - 5/3/2018 | | | YTD As of 5/3/2018 | |
|---------------------------------|---------------------------------|------------------|------------------|-----------------------|--------------------|
| | Hours/Units | Rate | Amount | Hours/Units | Amount |
| Earnings | 23.03 | | \$ 219.94 | 429.57 | \$ 4,102.42 |
| Regular | 23.03 | 9.5500 | \$ 219.94 | 429.57 | \$ 4,102.42 |
| Taxes | | | \$ 39.16 | | \$ 736.78 |
| Fed W/H | | | \$ 5.90 | | \$ 134.94 |
| FICA EE | | | \$ 13.64 | | \$ 254.35 |
| Fed MWT EE | | | \$ 3.19 | | \$ 59.49 |
| PA W/H | | | \$ 6.75 | | \$ 125.93 |
| PA UT EE | | | \$ 0.13 | | \$ 2.46 |
| PhiCityW/H | | | \$ 8.55 | | \$ 159.61 |
| Post-Tax Deductions | | | \$ 11.37 | | \$ 216.03 |
| Actria STD Post-Tax | | | \$ 3.68 | | \$ 69.92 |
| Actria Dental EE | | | \$ 4.67 | | \$ 88.73 |
| Actria Vision EE | | | \$ 1.05 | | \$ 19.95 |
| Actria Life Insurance Family | | | \$ 1.97 | | \$ 37.43 |
| | Routing # | Account # | Amount | | Amount |
| Net Pay | | | \$ 169.41 | | \$ 3,149.61 |
| Payroll Card | 064206594 | XXXXXX5194 | \$ 169.41 | | |
| Accruals & Balances | | | | | |
| ETO Hourly Balance: 40.00 Hours | | | | | |

CITY - 12
P . 4

Printer Options Dayforce



Employer Name: Au Bon Pain Corp
Employer Phone: 617-423-2100
Employer Address: 1 Au Bon Pain Way
 Boston, MA 02210

Employee Name: LYNDIE TOPPIN
Employee #: 102788
Employee Address: 5813 LANSDOWNE AVE
 PHILADELPHIA, PA 19131
Department: Cafe
Job Title: Guest Service Representative

Pay Date: 5/2/2018
Pay Period: 4/20/2018 - 4/26/2018
Deposit Advice #: 201695199
Pay Frequency: Weekly
Pay Rate: 9.5500
Federal Filing Status: Single
Federal Exemptions: 1/10.00
Local Exemptions: 1 (Philadelphia)
State Filing Status: Single (PA)
State Exemptions: 1/10.00 (PA)

| | Current 4/20/2018 - 4/26/2018 | | | YTD As of 4/26/2018 | |
|---------------------------------|----------------------------------|------------------|------------------|------------------------|--------------------|
| | Hours/Units | Rate | Amount | Hours/Units | Amount |
| Earnings | 21.22 | | \$ 202.65 | 406.54 | \$ 3,882.48 |
| Regular | 21.22 | 9.5500 | \$ 202.65 | 406.54 | \$ 3,882.48 |
| Taxes | | | \$ 34.90 | | \$ 697.62 |
| Fed W/H | | | \$ 5.17 | | \$ 128.04 |
| FICA EE | | | \$ 12.56 | | \$ 240.71 |
| Fed MWT EE | | | \$ 2.94 | | \$ 56.30 |
| PA W/H | | | \$ 6.22 | | \$ 119.18 |
| PA UT EE | | | \$ 0.12 | | \$ 2.33 |
| PhiCityW/H | | | \$ 7.89 | | \$ 151.06 |
| Post-Tax Deductions | | | \$ 11.37 | | \$ 204.66 |
| Aetna STD Post-Tax | | | \$ 3.68 | | \$ 66.24 |
| Aetna Dental EE | | | \$ 4.67 | | \$ 84.06 |
| Aetna Vision EE | | | \$ 1.05 | | \$ 18.90 |
| Aetna Life Insurance Family | | | \$ 1.97 | | \$ 35.46 |
| | Routing # | Account # | Amount | | Amount |
| Net Pay | | | \$ 156.38 | | \$ 2,980.20 |
| Payroll Card | 0000000000 | XXXXXX194 | \$ 156.38 | | |
| Accruals & Balances | | | | | |
| ETO Hourly Balance: 40.00 Hours | | | | | |

CITY - 12
P . 5



Printer Options Dayforce



Employer Name: Au Bon Pain Corp
Employer Phone: 617-423-2100
Employer Address: 1 Au Bon Pain Way
 Boston, MA 02210

Employee Name: LYNDLE TOPPIN
Employee #: 102788
Employee Address: 5815 LANSDOWNE AVE
 PHILADELPHIA, PA 19131
Department: Cafe
Job Title: Guest Service Representative

Pay Date: 4/25/2018
Pay Period: 4/13/2018 - 4/19/2018
Deposit Advice #: 206735673
Pay Frequency: Weekly
Pay Rate: 9.5500
Federal Filing Status: Single
Federal Exemptions: 1/50.00
Local Exemptions: 1 (Philadelphia)
State Filing Status: Single (PA)
State Exemptions: 1/10.00 (PA)

| | Current 4/13/2018 - 4/19/2018 | | | YTD As of 4/19/2018 | |
|-----------------------------|----------------------------------|------------------|------------------|------------------------|--------------------|
| | Hours/Units | Rate | Amount | Hours/Units | Amount |
| Earnings | 24.62 | | \$ 235.12 | 385.32 | \$ 3,679.83 |
| Regular | 24.62 | 9.5500 | \$ 235.12 | 385.32 | \$ 3,679.83 |
| Taxes | | | \$ 42.91 | | \$ 662.72 |
| Fed W/H | | | \$ 8.42 | | \$ 122.87 |
| FICA EE | | | \$ 14.58 | | \$ 228.15 |
| Fed MWT EE | | | \$ 3.41 | | \$ 53.36 |
| PA W/H | | | \$ 7.22 | | \$ 112.96 |
| PA UT EE | | | \$ 0.14 | | \$ 2.21 |
| Philly W/H | | | \$ 9.18 | | \$ 143.17 |
| Post-Tax Deductions | | | \$ 11.37 | | \$ 193.29 |
| Aetna STD Post-Tax | | | \$ 3.68 | | \$ 62.56 |
| Aetna Dental EE | | | \$ 4.67 | | \$ 79.39 |
| Aetna Vision EE | | | \$ 1.05 | | \$ 17.85 |
| Aetna Life Insurance Family | | | \$ 1.97 | | \$ 33.49 |
| | Routing # | Account # | Amount | | Amount |
| Net Pay | | | \$ 180.84 | | \$ 2,823.82 |
| Payroll Card | 984236504 | XXXX X5194 | \$ 180.84 | | |

Accruals & Balances

ETO Hourly Balance: 49.00 Hours

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Printer Options Dayforce



Employer Name: Au Bon Pain Corp
Employer Phone: 617-423-2100
Employer Address: 1 Au Bon Pain Way
 Boston, MA 02210

Employee Name: LYNDLE TOPPIN
Employee #: 102788
Employee Address: 5813 LANSDOWNE AVE
 PHILADELPHIA, PA 19131
Department: Cafe
Job Title: Guest Service Representative

Pay Date: 4/18/2018
Pay Period: 4/6/2018 - 4/12/2018
Deposit Advice #: 199903798
Pay Frequency: Weekly
Pay Rate: 9.5500
Federal Filing Status: Single
Federal Exemptions: 1/10.00
Local Exemptions: 1 (Philadelphia)
State Filing Status: Single (PA)
State Exemptions: 1/10.00 (PA)

| | Current 4/6/2018 - 4/12/2018 | | | YTD As of 4/12/2018 | |
|-----------------------------|---------------------------------|------------------|------------------|------------------------|--------------------|
| | Hours/Units | Rate | Amount | Hours/Units | Amount |
| Earnings | 23.50 | | \$ 224.43 | 360.70 | \$ 3,444.71 |
| Regular | 23.50 | 9.5500 | \$ 224.43 | 360.70 | \$ 3,444.71 |
| Taxes | | | \$ 40.29 | | \$ 619.81 |
| Fed W/H | | | \$ 7.35 | | \$ 114.45 |
| FICA EE | | | \$ 13.91 | | \$ 213.57 |
| Fed MWT EE | | | \$ 3.26 | | \$ 49.95 |
| PA W/H | | | \$ 6.89 | | \$ 105.74 |
| PA UT EE | | | \$ 0.14 | | \$ 2.07 |
| Philly W/H | | | \$ 8.74 | | \$ 134.03 |
| Post-Tax Deductions | | | \$ 11.37 | | \$ 181.92 |
| Aetna STD Post-Tax | | | \$ 3.68 | | \$ 58.68 |
| Aetna Dental EE | | | \$ 4.67 | | \$ 74.72 |
| Aetna Vision EE | | | \$ 1.05 | | \$ 16.80 |
| Aetna Life Insurance Family | | | \$ 1.97 | | \$ 31.52 |
| | Routing # | Account # | Amount | | Amount |
| Net Pay | | | \$ 172.77 | | \$ 2,642.98 |
| Payroll Card | 064706594 | XXXXX5194 | \$ 172.77 | | |

Accruals & Balances

ETO Hourly Balance: 40.00 Hours

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P . 7



Printer Options Dayforce



Employer Name: Au Bon Pain Corp
Employer Phone: 617-423-2100
Employer Address: 1 Au Bon Pain Way
Boston, MA 02210

Employee Name: LYNDLE TOPPIN
Employee #: 102788
Employee Address: 5813 LANSDOWNE AVE
PHILADELPHIA, PA 19131
Department: Cafe
Job Title: Guest Service Representative

Pay Date: 4/11/2018
Pay Period: 3/30/2018 - 4/5/2018
Deposit Advice #: 199012918
Pay Frequency: Weekly
Pay Rate: 9.5500
Federal Filing Status: Single
Federal Exemptions: 1 (\$0.00)
Local Exemptions: 1 (Philadelphia)
State Filing Status: Single (PA)
State Exemptions: 1 (\$0.00 (PA))

| | Current 3/30/2018 - 4/5/2018 | | | YTD As of 4/5/2018 | |
|----------------------------------|---------------------------------|------------------|------------------|-----------------------|--------------------|
| | Hours/Units | Rate | Amount | Hours/Units | Amount |
| Earnings | 23.98 | | \$ 229.01 | 337.20 | \$ 3,220.28 |
| Regular | 23.98 | 9.5500 | \$ 229.01 | 337.20 | \$ 3,220.28 |
| Taxes | | | \$ 41.39 | | \$ 579.52 |
| Fed W/H | | | \$ 7.80 | | \$ 107.10 |
| FICA EE | | | \$ 14.20 | | \$ 199.66 |
| Fed MWT EE | | | \$ 3.32 | | \$ 46.69 |
| PA W/H | | | \$ 7.03 | | \$ 98.85 |
| PA UT EE | | | \$ 0.13 | | \$ 1.93 |
| Philly W/H | | | \$ 8.91 | | \$ 125.29 |
| Post-Tax Deductions | | | \$ 11.37 | | \$ 170.55 |
| Aetna STD Post-Tax | | | \$ 3.68 | | \$ 55.20 |
| Aetna Dental EE | | | \$ 4.67 | | \$ 70.05 |
| Aetna Vision EE | | | \$ 1.05 | | \$ 15.75 |
| Aetna Life Insurance Family | | | \$ 1.97 | | \$ 29.55 |
| | Routing # | Account # | Amount | | Amount |
| Net Pay | | | \$ 176.25 | | \$ 2,470.21 |
| Payroll Card | 064206594 | XXXXX5194 | \$ 176.25 | | |
| Accruals & Balances | | | | | |
| ETO Hourly Balance: -40.00 Hours | | | | | |

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DUNNE
LAW OFFICES, P.C.

June 26, 2019

VIA E-MAIL AND PERSONAL DELIVERY

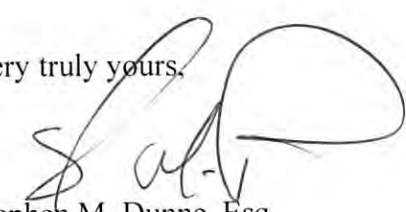
Megan Harper, Esq.
1401 JFK Blvd., 5th Floor
Philadelphia, PA 19102

Re: Toppin v. Williams, et al., Adv. Pro No. 18-00137 (MDC)

Dear Mrs. Harper:

Please find the Plaintiff's Responses to Defendant, The Sheriff of the City of Philadelphia's First Set of Interrogatories enclosed.

Very truly yours,



Stephen M. Dunne, Esq.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------------|---|-------------------------------|
| In re: | : | |
| | : | |
| LYNDEL TOPPIN, | : | Chapter 13 |
| | : | |
| Debtor. | : | Bankruptcy No. 18-13098 (MDC) |
| | : | |
| LYNDEL TOPPIN, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | Adv. Proc. No. 18-00137 (MDC) |
| | : | |
| JEWELL WILLIAMS, SHERIFF | : | |
| OF THE CITY OF PHILADELPHIA and | : | |
| ABDELDAYEM HASSAN a/k/a | : | |
| ABDELDYEM HASSAN, | : | |
| | : | |
| Defendants. | : | |

**PLAINTIFF'S RESPONSES TO DEFENDANT,
THE SHERIFF OF THE CITY OF PHILADELPHIA'S
FIRST SET OF INTERROGATORIES**

GENERAL OBJECTIONS

1. Plaintiff asserts these General Objections to Defendant's Request for Production of Documents and incorporates them by reference into each.

2. Plaintiff objects to each request to the extent it seeks documents covered by the attorney-client privilege, the work product doctrine, the consulting privilege, the common interest doctrine, or any other applicable privilege or immunity. None of Plaintiff's responses are intended as, nor should be construed as, a waiver or relinquishment of the attorney-client privilege, the work product doctrine, the consulting privilege, the common interest doctrine, or any other applicable privilege or immunity.

3. Plaintiff objects to each request to the extent that it is overly broad, unduly burdensome, and/or not reasonably calculated to lead to the discovery of relevant documents or admissible evidence.
4. Plaintiff objects to Defendant's definition of "Document" in Definition No. 2 of the Document Requests. That definition exceeds the permissible bounds under Rule 34 of the Federal Rules of Civil Procedure. Specifically, the Defendant defines "Document" as "computer storing devices or (any other media and includes, without limiting the generality of the foregoing: computer printouts or media, tapes, discs, electronic mail records, letters, correspondence, telegrams, other written communications, contracts, agreements, notes, work papers, or any other writings, including non-identical copies, drafts or other transcripts of the foregoing now in your possession, custody, or control)...." Plaintiff objects to searching for or producing ESI contained on disaster recovery, back-up, or archival media, legacy systems, or deleted, fragmented, shadowed, or temporary data on the grounds that such information is not reasonably accessible due to cost and burden, and that the burden and cost of searching, processing, and producing this material would far exceed any marginal benefit to be gained by conducting such a search.
5. A statement that Plaintiff will produce documents in response to any request herein does not mean that such documents exist, but only that, to the extent such documents do exist and are not subject to the preliminary statement and/or a general objection, Plaintiff will produce non-privileged, responsive documents that are identifiable after a reasonable search.
6. Plaintiff objects to the requests to the extent that they seek documents and information outside of Plaintiff's possession, custody, or control. Plaintiff objects to searching for, or producing, documents from its outside advisors, attorneys, agents, or consultants.

7. Plaintiff objects to Definition and Instruction Number 30 on the grounds that it is overly broad and unduly burdensome.

8. Plaintiff objects to logging privileged communications that occurred subsequent to Plaintiffs' initiation of the Lawsuit.

9. Plaintiff objects to Definition and Instruction Number 33 on the grounds that the fast-paced schedule of this matter does not allow adequate time to update prior discovery responses and because updating them subsequent to the hearing in this matter is not reasonably calculated to lead to the discovery of admissible evidence.

PLAINTIFF'S RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1: State your present full name, current address, and who, if anyone, currently resides with you.

RESPONSE TO INTERROGATORY NO. 1:

Lyndel Toppin, 146 S. 62nd Street, Philadelphia, PA 19139. Barrington Whyte lives with me.

INTERROGATORY NO. 2: State all addresses where you lived for the last five (5) years, up to your present address as stated above in your answer to Interrogatory No. 1, with approximate dates of when you resided at those addresses and who resided there with you, if anyone.

RESPONSE TO INTERROGATORY NO. 2:

I have resided at 146 S. 62nd Street, Philadelphia, PA 19139 for the last 30 years.

INTERROGATORY NO. 3: State your present employer, length of employment and nature of employment.

RESPONSE TO INTERROGATORY NO. 3:

Au bon pain, 2005 Market Street, Philadelphia, PA 19103. 20 years. Dishwasher.

INTERROGATORY NO. 4: State with specificity and detail each and every action or failure to act by the Sheriff which you contend constitutes a violation of the automatic stay, and in your answer state:

- (a) The date the alleged violation occurred;
- (b) Whether you witnessed the alleged violation; and
- (c) If you did not witness the alleged violation, state when and how you discovered the alleged violation.

RESPONSE TO INTERROGATORY NO. 4:

- (a) The alleged violations of the automatic stay occurred on the following dates: May 18, 2018, May 24, 2018, May 30, 2018, June 1, 2018, June 5, 2018 and June 7, 2018.
- (b) I, Lyndel Toppin and Barrington Whyte witnessed each alleged violation of the automatic stay as we both reside 146 S. 62nd Street, Philadelphia, PA 19139. I, Lyndel Toppin and Barrington Whyte personally observed Eviction Notices and Notices to Vacate on our front door placed by the Philadelphia Sheriff's Office.
- (c) N/A.

INTERROGATORY NO. 5: Identify all documents received by you or your attorney from the Sheriff that relate to the allegations in the Complaint.

RESPONSE TO INTERROGATORY NO. 5:

1. Exhibit C of the 2nd Amended Complaint – Sheriff's Invoice
2. Exhibit K of the 2nd Amended Complaint – Contact Details of Abdeldayem Hassan
3. Exhibit T of the 2nd Amended Complaint – Notice to Vacate – May 18, 2018
4. Exhibit U of the 2nd Amended Complaint – Notice to Vacate – May 24, 2018
5. Exhibit V of the 2nd Amended Complaint – Notice to Vacate – May 30, 2018
6. Exhibit X of the 2nd Amended Complaint – Eviction Notice – June 1, 2018
7. Exhibit Y of the 2nd Amended Complaint – Eviction Notice – June 5, 2018
8. Exhibit Z of the 2nd Amended Complaint – Eviction Notice – June 7, 2018

INTERROGATORY NO. 6: Identify all documents given by you or your attorney to the Sheriff that relate to the allegations in the Complaint.

RESPONSE TO INTERROGATORY NO. 6:

1. Exhibit C of the 2nd Amended Complaint – Sheriff's Invoice
2. Exhibit K of the 2nd Amended Complaint – Contact Details of Abdeldayem Hassan
3. Exhibit T of the 2nd Amended Complaint – Notice to Vacate – May 18, 2018
4. Exhibit U of the 2nd Amended Complaint – Notice to Vacate – May 24, 2018
5. Exhibit V of the 2nd Amended Complaint – Notice to Vacate – May 30, 2018
6. Exhibit X of the 2nd Amended Complaint – Eviction Notice – June 1, 2018
7. Exhibit Y of the 2nd Amended Complaint – Eviction Notice – June 5, 2018
8. Exhibit Z of the 2nd Amended Complaint – Eviction Notice – June 7, 2018

INTERROGATORY NO. 7: Identify all communications between you or your attorney and the Sheriff.

RESPONSE TO INTERROGATORY NO. 7:

1. May 7, 2018: Debtor's counsel visited the Philadelphia Sheriff's Office with his client to advise that the debtor required information to assist with the filing of his bankruptcy.
2. May 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
3. May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
4. May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
5. May 9, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
6. May 9, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the GRB Law at fax number 215-735-1618.
7. May 10, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit.
8. May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
9. May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.

10. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
11. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit.
12. May 15, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
13. May 30, 2018: The Bankruptcy Noticing Center e-mailed notice of the underlying bankruptcy to Philadelphia Law Department at bankruptcy@phila.gov.
14. Jun 7, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
15. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Sheriff's Office, 100 S. Broad Street, 5th Floor, Philadelphia, PA 19110.
16. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: GRB Law, 1425 Spruce Street, Suite 100, Philadelphia, PA 19102.
17. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Department of Revenue, 1410 John F. Kennedy Blvd., Concourse Level, Philadelphia, PA 19102.
18. June 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.

INTERROGATORY NO. 8: State whether you or your attorney had any conversation(s) with the Sheriff and, if so, state in detail the subject matter of the conversation(s), who you or your attorney spoke with and the dates of the conversation(s).

RESPONSE TO INTERROGATORY NO. 8:

1. May 7, 2018: Debtor's counsel visited the Philadelphia Sheriff's Office with his client to advise that the debtor required information to assist with the filing of his bankruptcy. The employee at the Sheriff's Office did not volunteer their name.
2. May 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy. The employee at the Sheriff's Office did not volunteer their name.
3. May 9, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy. The employee at the Sheriff's Office did not volunteer their name.
4. May 10, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit. The employee at the Sheriff's Office did not volunteer their name.
5. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy. The employee at the Sheriff's Office did not volunteer their name.
6. June 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy. The employee at the Sheriff's Office did not volunteer their name.

INTERROGATORY NO. 9: State all facts upon which you rely in alleging that the Civil Enforcement Unit of the Philadelphia Sheriff's Office received actual notice of the bankruptcy filing.

RESPONSE TO INTERROGATORY NO. 9:

1. May 7, 2018: Debtor's counsel visited the Philadelphia Sheriff's Office with his client to advise that the debtor required information to assist with the filing of his bankruptcy.
2. May 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
3. May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
4. May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
5. May 9, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
6. May 9, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the GRB Law at fax number 215-735-1618.
7. May 10, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit.
8. May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
9. May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.

10. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
11. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit.
12. May 15, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
13. May 30, 2018: The Bankruptcy Noticing Center e-mailed notice of the underlying bankruptcy to Philadelphia Law Department at bankruptcy@phila.gov.
14. Jun 7, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
15. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Sheriff's Office, 100 S. Broad Street, 5th Floor, Philadelphia, PA 19110.
16. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: GRB Law, 1425 Spruce Street, Suite 100, Philadelphia, PA 19102.
17. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Department of Revenue, 1410 John F. Kennedy Blvd., Concourse Level, Philadelphia, PA 19102.
18. June 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.

INTERROGATORY NO. 10: State all facts upon which you rely in alleging that the Civil Enforcement Unit of Philadelphia Sheriff's Office was advised that the Writ of Possession dated May 7, 2018 (Sheriff Number 231566) against unknown occupants of the Property was being executed upon a person that had filed for bankruptcy.

RESPONSE TO INTERROGATORY NO. 10:

1. May 7, 2018: Debtor's counsel visited the Philadelphia Sheriff's Office with his client to advise that the debtor required information to assist with the filing of his bankruptcy.
2. May 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
3. May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
4. May 8, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
5. May 9, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
6. May 9, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the GRB Law at fax number 215-735-1618.
7. May 10, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit.
8. May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.

9. May 10, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
10. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.
11. May 15, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy to the Civil Enforcement Unit.
12. May 15, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3971.
13. May 30, 2018: The Bankruptcy Noticing Center e-mailed notice of the underlying bankruptcy to Philadelphia Law Department at bankruptcy@phila.gov.
14. Jun 7, 2018: Debtor's counsel faxed notice of the underlying bankruptcy to the Philadelphia Sheriff's Office at fax number 215-686-3555.
15. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Sheriff's Office, 100 S. Broad Street, 5th Floor, Philadelphia, PA 19110.
16. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: GRB Law, 1425 Spruce Street, Suite 100, Philadelphia, PA 19102.
17. May 31, 2018: The Bankruptcy Noticing Center mailed notice of the underlying bankruptcy to the following mailing address: Philadelphia Department of Revenue, 1410 John F. Kennedy Blvd., Concourse Level, Philadelphia, PA 19102.

18. June 7, 2018: Debtor's counsel telephoned the Philadelphia Sheriff's Office at number 215-686-3565 and provided notice of the underlying bankruptcy.

INTERROGATORY NO. 11: Identify all persons who have personal knowledge of facts and matters set forth in the Complaint and describe the facts known or observed by that person.

RESPONSE TO INTERROGATORY NO. 11:

Stephen Dunne; Lyndel Toppin, Barrington Whyte, Alveta Hughes; Unknown employees of the Sheriff's Office. The response to Interrogatory No. 10 is incorporated herein.

INTERROGATORY NO. 12: Identify all fact witnesses you intend to call at trial and as to each such witness, state the facts to which that person is expected to testify.

RESPONSE TO INTERROGATORY NO. 12:

Abdeldayem Hassan; David Offen; Stephen Dunne; Lyndel Toppin, Barrington Whyte, Alveta Hughes; Unknown employees of the Sheriff's Office. The response to Interrogatory No. 10 is incorporated herein.

INTERROGATORY NO. 13: With respect to each person whom you intend to call as an expert witness in connection with this matter:

- (a) Identify the person;
- (b) Attach a copy of the person's resume or curriculum vitae;
- (c) Identify the subject matter on which the person is expected to testify;
- (d) Identify the facts and opinions the person is expected to offer at any evidentiary hearing or trial;

- (e) Identify each document and communication directed to the person regarding the subject matter of this action;
- (f) Identify any document or demonstrative evidence the person is expected to use, refer to or rely upon at any evidentiary hearing or trial; and
- (g) Attach a copy of that person's written report.

RESPONSE TO INTERROGATORY NO. 13:

- (a) Abdeldayem Hassan; David Offen; Stephen Dunne; Lyndel Toppin; Barrington Whyte; Alveta Hughes; Unknown employees of the Sheriff's Office.
- (b) Unable to produce resume of Abdeldayem Hassan and David Offen as they are not in my possession. Unable to produce resume of Lyndel Toppin and Barrington Whyte because neither have a resume. Unable to produce resume of unknown employees of the Sheriff's Office.
- (c) The response to Interrogatory No. 10 is incorporated herein and the subject matter of the testimony would include notice of the pending bankruptcy; actions to avoid violation of the automatic stay; and damages in connection with said violation(s) of the automatic stay.
- (d) The response to Interrogatory No. 10 is incorporated herein and the subject matter of the testimony would include notice of the pending bankruptcy; actions to avoid violation of the automatic stay; and damages in connection with said violation(s) of the automatic stay.
- (e) The response to Interrogatory No. 10 is incorporated herein.
- (f) The response to Interrogatory No. 10 is incorporated herein.
- (g) No written reports are in existence at this time.

INTERROGATORY NO. 14: Do you claim to have experienced emotional distress as a result of the Sheriff's alleged violations of the automatic stay?

RESPONSE TO INTERROGATORY NO. 14:

Yes.

INTERROGATORY NO. 15: If your answer to Interrogatory No. 14 was yes, please:

- (a) Set forth the nature of the emotional distress;
- (b) Identify any person who has knowledge of any fact pertaining to the emotional distress;
- (c) Set forth the amount of compensation which you claim to be entitled as a result of the emotional distress; and
- (d) Set forth the method by which you calculated the amount.

RESPONSE TO INTERROGATORY NO. 15:

- (a) Armed Philadelphia Sheriff's appeared at my home and posted six ("6") separate "Notices to Vacate" and "Eviction Notices" that caused me a substantial amount of undue frustration, anxiety and mental anguish.
- (b) Lyndel Toppin; Barrington Whyte; Alveta Hughes; and Stephen Dunne.
- (c) \$25,000.
- (d) I suffered the following actual manifestations: headaches; loss of sleep; anxiety; sense of dread; sense of failure; extended harassment and embarrassment as a result of the Sheriff's callous disregard to the bankruptcy protections afforded debtors. I quantified those emotional distress damages to equal \$25,000.

INTERROGATORY NO. 16: Identify all punitive damages which you claim and the facts that justify a finding of deliberate willful action or inaction by the Sheriff.

RESPONSE TO INTERROGATORY NO. 16:

Punitive damages are appropriate for the reasons that: (1) Sheriff had received fair notice of the underlying bankruptcy; (2) Plaintiff has evidenced emotional injuries as a result of the Sheriff's callous disregard of the bankruptcy laws; (3) the harm or injury inflicted on Plaintiff is more than economic in nature; (4) the monetary value of non-economic harm is difficult to determine; (5) Punitive damages would deter the Sheriff from any future callous disregard of the bankruptcy laws.

INTERROGATORY NO. 17: Identify the compensatory damages which you seek and the facts supporting your claim for such damages.

RESPONSE TO INTERROGATORY NO. 17:

Out of pocket expenses include all the time I spent visiting my attorney's office to stop the continuing violation of the automatic stay; lost potential income due to the time I was unavailable to work as a result of spending time at my attorney's office and transportation costs to/from my attorney's office.

INTERROGATORY NO. 18: Identify the attorney's fees which you claim and the facts that support your claim for such fees including statements for services, canceled checks and any other documents that support your claim.

RESPONSE TO INTERROGATORY NO. 18: Objection. This request is overly broad, calls for speculation and seeks work product. Furthermore, no trial date has been set yet, this request is premature and irrelevant, and accordingly not limited in time or scope. Lastly, Plaintiff objects to the use of the terms "any" as they are overly broad and unduly burdensome and further, subject to interpretation.

INTERROGATORY NO. 19: Did you answer these questions with the assistance of anyone other than your attorney? If the answer is yes, please state who helped you, if anyone, to provide these answers.

RESPONSE TO INTERROGATORY NO. 19:

No.

CERTIFICATE OF SERVICE

I hereby certify that on June 25, 2019, a true and correct copy of the foregoing was served by email and regular U.S. Mail on the following:

MEGAN N. HARPER
Deputy City Solicitor
PA Attorney I.D. 81669
City of Philadelphia Law Department Municipal Services Building
1401 JFK Boulevard, 5th Floor
Philadelphia, PA 19102-1595



CITY OF PHILADELPHIA
OFFICE OF THE SHERIFF
CIVIL ENFORCEMENT

NOTICE TO VACATE

SHERIFF NUMBER: 231566

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor

By virtue a ***Writ of Possession of Real Property*** a copy of which is attached
YOU HAVE 21 DAYS TO VACATE THE PREMISES DESCRIBED IN THE WRIT, FAILURE TO DO SO WILL RESULT IN THE IMMEDIATE SCHEDULING OF AN EVICTION

Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor

Phone: (215) 686-3542 Fax: (215) 686-3555

C I T Y - 1 4

5/18/18



CITY OF PHILADELPHIA
OFFICE OF THE SHERIFF
CIVIL ENFORCEMENT

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Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor
Phone: (215) 686-3542 Fax: (215) 686-3555

5/24/18

C I T Y - 1 5



CITY OF PHILADELPHIA
OFFICE OF THE SHERIFF
CIVIL ENFORCEMENT

NOTICE TO VACATE

SHERIFF NUMBER: 231566

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor

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Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor

Phone: (215) 686-3542 Fax: (215) 686-3555

5/30/18

C I T Y - 1 6



CITY OF PHILADELPHIA
OFFICE OF THE SHERIFF
CIVIL ENFORCEMENT

EVICTIION NOTICE

SHERIFF NUMBER: 231566

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor

By virtue of a *Writ of Possession of Real Property* a copy of which is attached
YOU ARE ORDERED TO VACATE THE PREMISES DESCRIBED IN THE WRIT NOT LATER

THAN: June 25th, 2018
@ 9AM

Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor
Phone: (215) 686-3542 Fax: (215) 686-3555

6/1/18 146 S 62nd ST
UNKNOWN OCCUPANTS

ted to levy upon any property of

you are

05.62nd ST
PHILA PA 19139

and sell

interest therein.



ERIC FEDER
Director, Office of Judicial Records

By [Signature]
Clerk

ATTEST

Date May 7, 2018
D. SAVAGE
JUDICIAL RECORDS



CITY OF PHILADELPHIA
OFFICE OF THE SHERIFF
CIVIL ENFORCEMENT

EVICTIION NOTICE

SHERIFF NUMBER: 231566

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor

By virtue of a **Writ of Possession of Real Property** a copy of which is attached
YOU ARE ORDERED TO VACATE THE PREMISES DESCRIBED IN THE WRIT NOT LATER

THAN: June 25th 2018
2 9am

Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor
Phone: (215) 686-3542 Fax: (215) 686-3555

6/5/18

146 S 62nd ST
UNKNOWN OCCUPANTS

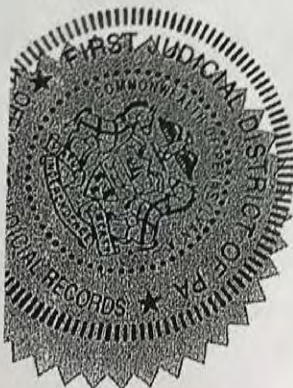
ted to levy upon any property of

you are

05.62nd ST
PHILA PA 19139

and sell

interest therein.



v. 1/01)

ERIC FEDER
Director, Office of Judicial Records

By [Signature]
Clerk

ATTEST

Date May 7, 2018
D. SAVAGE
JUDICIAL RECORDS

C I T Y - 1 8



CITY OF PHILADELPHIA
SHERIFF'S OFFICE
100 S. Broad Street 5th Floor
Philadelphia, PA 19110

Postnet
First Class Mail
Combination

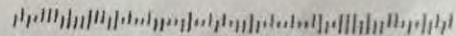


U.S. POSTAGE
ZIP 19103 \$ 000.47
02 JUN 18
0041320175 JUN 07 2018

6/7/18

Unknown Occupants
146 S. 62nd St
Phila, PA 19139

19139\$2928 CQ44



CITY OF PHILADELPHIA
OFFICE OF THE SHERIFF
CIVIL ENFORCEMENT

EVICTIION NOTICE

SHERIFF NUMBER: 231866

To: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor

By virtue of a **Writ of Possession of Real Property** a copy of which is attached
YOU ARE ORDERED TO VACATE THE PREMISES DESCRIBED IN THE WRIT NOT LATER

THAN: June 25th, 2018
@ 9AM

C I T Y - 1 9

Civil Enforcement Unit ■ 100 S. Broad Street ■ Philadelphia, PA 19110 ■ 5th Floor
Phone: (215) 686-3542 Fax: (215) 686-3555

146 S 62nd St

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------------|---|-------------------------------|
| In re: | : | |
| | : | Chapter 13 |
| LYNDEL TOPPIN, | : | |
| | : | |
| Debtor. | : | Bankruptcy No. 18-13098 (MDC) |
| | : | |
| LYNDEL TOPPIN, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | Adv. Proc. No. 18-00137 (MDC) |
| | : | |
| JEWELL WILLIAMS, SHERIFF | : | |
| OF THE CITY OF PHILADELPHIA and | : | |
| ABDELDAYEM HASSAN a/k/a | : | |
| ABDELDYEM HASSAN, | : | |
| | : | |
| Defendants. | : | |

**PLAINTIFF’S RESPONSES TO DEFENDANT,
CITY OF PHILADELPHIA SHERIFF’S DEPARTMENT,
REQUESTS FOR ADMISSION**

GENERAL OBJECTIONS

1. Plaintiff asserts these General Objections to Defendant’s Request for Production of Documents and incorporates them by reference into each.
2. Plaintiff objects to each request to the extent it seeks documents covered by the attorney-client privilege, the work product doctrine, the consulting privilege, the common interest doctrine, or any other applicable privilege or immunity. None of Plaintiff’s responses are intended as, nor should be construed as, a waiver or relinquishment of the attorney-client privilege, the work product doctrine, the consulting privilege, the common interest doctrine, or any other applicable privilege or immunity.

C I T Y - 2 0

3. Plaintiff objects to each request to the extent that it is overly broad, unduly burdensome, and/or not reasonably calculated to lead to the discovery of relevant documents or admissible evidence.

4. Plaintiff objects to Defendant's definition of "Document" in Definition No. 3 of the Document Requests. That definition exceeds the permissible bounds under Rule 34 of the Federal Rules of Civil Procedure. Specifically, the Defendant defines "Document" "any written, recorded, or graphic matter, whether produced or reproduced or stored on paper, tapes, films, computer storing devices or any other media and includes, without limiting the generality of the foregoing: computer printouts or media, tapes, discs, electronic mail records, letters, correspondence, telegrams, other written communications, contracts, agreements, notes, work papers, or any other writings, including non-identical copies, drafts or other transcripts of the foregoing documents is requested or referred to, the request or reference shall include but is not limited to, the original and each and every copy and draft thereof having writings, notations, corrections, or makings peculiar to such copy or draft..."Plaintiff objects to searching for or producing ESI contained on disaster recovery, back-up, or archival media, legacy systems, or deleted, fragmented, shadowed, or temporary data on the grounds that such information is not reasonably accessible due to cost and burden, and that the burden and cost of searching, processing, and producing this material would far exceed any marginal benefit to be gained by conducting such a search.

5. A statement that Plaintiff will produce documents in response to any request herein does not mean that such documents exist, but only that, to the extent such documents do exist and are not subject to the preliminary statement and/or a general objection, Plaintiff will produce non-privileged, responsive documents that are identifiable after a reasonable search.

6. Plaintiff objects to the requests to the extent that they seek documents and information outside of Plaintiff's possession, custody, or control. Plaintiff objects to searching for, or producing, documents from its outside advisors, attorneys, agents, or consultants.
7. Plaintiff objects to Instruction Number 1 on the grounds that the fast-paced schedule of this matter does not allow adequate time to update prior discovery responses and because updating them subsequent to the hearing in this matter is not reasonably calculated to lead to the discovery of admissible evidence.
8. To the extent that information is discoverable not subject to the objections Please refer to the Exhibits filed in connection with respondent's Motion for Judgment on Pleadings , hereby incorporated by reference.
9. Objection responses call for expert (medical), testimony, from a fact witness.
10. Subject to the foregoing Plaintiff responds as follows:

PLAINTIFF'S RESPONSES TO RFA

RFA NO. 1: Admit that you can communicate.

RESPONSE: Objection response calls for medical expert testimony. Subject to the objection, admitted in part as to hand gestures, certain words and phrases, certain colors, and is able to take comprehend outside information and sensations more so then being able to express himself, and denied as to the remainder.

RFA No. 2 : Admit that you can read.

RESPONSE: Denied, generally, however if text/letters are color coded and in bold, he is able to discern their significance sufficiently to ask for it to be read and explained to him. His ability to discern written information increases with

increased number of similar notices, especially if the writing is designed to convey a sense of urgency.

RFA. No. 3: Admit that you can write.

RESPONSE: Denied.

RFA. No. 4: Admit that you can speak.

RESPONSE: Admitted, to some degree, subject to objection above.

RFA No. 5. Admit that you can speak English.

RESPONSE: Denied for the most part subject to objection above.

RFA. No. 6. Admit that you can hear.

ANSWER: Objection calls for expert testimony. Subject to the objection, he appears to be able to react to some sounds.

RFA. 7. Admit that you can understand spoken English.

ANSWER: Admitted in part denied in part.

RFA. 8. Admit that you can read lips.

ANSWER: Admitted that he can discern certain words and conveyance of certain common phrases, however that he can “read” or discern a wide variety of words spoken to him.

9. Admit that you can sign using American Sign Language.

ANSWER: Denied.

10. Admit that you can communicate using gestures.

ANSWER: Admitted to a limited degree (for food, bathroom, TV, and when frightened, alarmed, and distressed).

11. Admit that you are not non-verbal.

ANSWER: Denied, subject to the objections above.

12. Admit that you are not non-hearing.

ANSWER: Denied, subject to the objections above.

13. Admit that you communicate with Barrington Whyte.

ANSWER: Admitted in part denied in part. Not able to express everything he would have

wanted to express even to Mr. Whyte.

14. Admit that Barrington Whyte can communicate with you.

ANSWER: Admitted.

15. Admit that you can understand Barrington Whyte when he communicates with you.

ANSWER: Admitted to a limited extent, only about basic issues mentioned in response to RFA# 10.

16. Admit that you can communicate with representatives of your Employer.

ANSWER: Admitted to a limited extent, only about basic issues mentioned in response to RFA# 10.

17. Admit that representatives of your Employer can communicate with you.

ANSWER: Admitted to a limited extent, only about basic issues mentioned in response to RFA# 10. His only job is to wash dishes which he has done for 20 years.

18. Admit that your Employer communicates with you by speaking English.

ANSWER: Admitted in part denied in part. Employer would point to things using hand gestures, and his job is very elementary, has not changed in 20 years, in wish washing, mopping up, and throwing out garbage.

19. Admit that your Employer communicates with you in writing.

ANSWER: Admitted that employer sends certain writing to his address once or twice a year, pertaining to taxes, denied as to the remainder.

20. Admit that you can understand representatives of your Employer when they communicate with you.

ANSWER: Admitted in part denied in part. Employer would point to things using hand gestures, and his job is very elementary, has not changed in 20 years, in wish washing, mopping up, and throwing out garbage.

21. Admit that you own a telephone or cell phone.

ANSWER: Admit.

22. Admit that you never saw a representative of the Sheriff's Office on the Property.

ANSWER: Denied.

23. Admit that you or your representative did not personally see a representative of the Sheriff's Office post six (6) separate Eviction Notices and Notices to Vacate.

ANSWER: Denied.

24. Admit that neither you nor your representative spoke with a representative of the

Sheriff's Office at the Property.

ANSWER: Admitted.

25. Admit that you or your representative wrote the date of “May 18, 2018” on the Notice to Vacate attached hereto as Exhibit A.

ANSWER:

Admitted.

26. Admit that you or your representative wrote the date “May 24, 2018” on the Notice to Vacate attached hereto as Exhibit B.

ANSWER: Admitted

27. Admit that you or your representative wrote the date “May 30, 2018” on the Notice to Vacate attached hereto as Exhibit C.

ANSWER: Admitted.

28. Admit that you or your representative wrote the date “June 1, 2018” on the Eviction Notice attached hereto as Exhibit D.

ANSWER: Admitted.

29. Admit that you or your representative wrote the date “June 5, 2018” on the Eviction Notice attached hereto as Exhibit E.

ANSWER: Admitted

30. Admit that you or your representative wrote the date “June 7, 2018” on the Eviction Notice attached hereto as Exhibit F.

ANSWER: Admitted.

31. Admit that you or your representative received the Notice to Vacate attached hereto as Exhibit A by mail.

ANSWER: Admitted, my mail and by posting.

32. Admit that you or your representative received the Notice to Vacate attached hereto as Exhibit B by mail.

ANSWER: Admitted, and by posting.

33. Admit that you or your representative received the Notice to Vacate attached hereto as Exhibit C by mail.

ANSWER: Admitted by mail and by posting.

34. Admit that you or your representative received the Eviction Notice attached hereto as Exhibit D by mail.

ANSWER: Admitted, and by posting.

35. Admit that you or your representative received the Eviction Notice attached hereto as Exhibit E by mail.

ANSWER: Admitted and by posting.

36. Admit that you or your representative received the Eviction Notice attached hereto as Exhibit F by mail.

ANSWER: Admitted, and by posting.

37. Admit that you or your representative received some of the Notices to Vacate attached hereto as Exhibits A through C by mail.

ANSWER: Admitted.

38. Admit that you or your representative received some of the Eviction Notices attached hereto at exhibits D through F by mail.

ANSWER: Admitted.

39. Admit that you do not know the date the Notice to Vacate attached hereto as Exhibit A was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8th 2019.

40. Admit that you do not know the date the Notice to Vacate attached hereto as Exhibit B was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8th 2019.

41. Admit that you do not know the date the Notice to vacate attached hereto as Exhibit C was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8th 2019.

42. Admit that you do not know the date the Eviction Notice attached hereto as Exhibit D was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8th 2019.

43. Admit that you do not know the date the Eviction Notice attached hereto as Exhibit E was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8th 2019.

44. Admit that you do not know the date the Eviction Notice attached hereto as Exhibit F was posted to the Property.

ANSWER: Admitted, as to the exact time and date, however, all of the Notices at issue herein, started appearing after May 8th 2019.

CERTIFICATION OF SERVICE

I Predrag Filipovic, hereby certify that I have served the responses to requests for admission upon opposing counsel of record via electronic mail.

Megan N. Harper

Deputy City Solicitor

City of Philadelphia Law Department

Municipal Services Building

1401 J.F.K. Blvd., 5th Floor

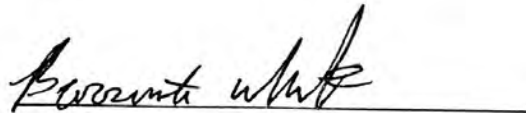
Philadelphia, PA 19102-1595

215-686-0503

megan.harper@phila.gov

VERIFICATION

I Lyndel Toppin, certify under the penalty of 18 PA Cons Stat§ 4904 § that I am the Plaintiff, in this action and that the responses to foregoing requests for admission, as conveyed to me by the friend of the Court Mr. Barrington Whyte and my attorneys, are true to the best of my knowledge information and belief.



Barrington Whyte on behalf of Mr. Toppin, in capacity of Friend of the Court

LYNDEL

TOPPIN

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

- - -

In re:

LYNDEL TOPPIN : Chapter 13,
Debtor : Bankruptcy No.
----- 18-13098

LYNDEL TOPPIN :
Plaintiff :

vs. :

JEWELL WILLIAMS : Adv. Proc. No.
SHERIFF OF THE CITY OF : 18000137
PHILADELPHIA and :
ABDELDAYEM HASSAN :
a/k/a ABDEL DYEM HASSAN :
Defendants :

- - -

Thursday, December 12, 2019

- - -

Oral Deposition of BARRINGTON WHYTE,
taken pursuant to notice, held at Municipal
Services Building, 1401 John F. Kennedy
Boulevard, Room 580, Philadelphia,
Pennsylvania 19102, commencing at
9:45 a.m. before Michelle A. Landman,
Professional Reporter and Notary Public; in
and for the Commonwealth of Pennsylvania.

STREHLOW & ASSOCIATES, INC.
54 FRIENDS LANE, SUITE 116
NEWTOWN, PENNSYLVANIA 18940
(215) 504-4622
SERVING NJ, PA, NY & DE

A P P E A R A N C E S:

THE LAW OFFICES OF PREDRAG FILIPOVIC

By: PREDRAG FILIPOVIC, ESQUIRE
1735 Market Street, Suite 3750
Philadelphia, Pennsylvania 19103
267-507-6084
PFesq@ifight4justice.com
Representing the Plaintiff

THE LAW OFFICES OF STEPHEN M. DUNNE

By: STEPHEN M. DUNNE, ESQUIRE
1515 Market Street, Suite 1200
Philadelphia, Pennsylvania 19102
215-551-7109
Stephen@dunnelawoffices.com
Representing the Plaintiff

THE CITY OF PHILADELPHIA - LAW DEPARTMENT

By: MEGAN N. HARPER, ESQUIRE
JOSHUA DOMER, ESQUIRE
Municipal Services Building
1401 John F. Kennedy Boulevard
Room 580
Philadelphia, Pennsylvania 19102
215-685-0503
MEGAN.HARPER@PHILA.GOV
JOSHUA.DOMER@PHILA.GOV
Representing the Defendants

1 - - -
2 I N D E X
3 - - -

| | | |
|---|-------------------------|--------|
| 4 | WITNESS | PAGE |
| 5 | BARRINGTON WHYTE | |
| 6 | (Witness sworn.) | |
| 7 | EXAMINATION BY: | |
| 8 | Ms. Harper. | 04, 68 |
| 9 | Mr. Filipovic | 66 |

10
11 - - -
12 E X H I B I T S
13 - - -

| | | | |
|----|-------------------------------------|------------------------------|------|
| 14 | NUMBER | DESCRIPTION | PAGE |
| 15 | D-1 | First set of Interrogatories | 10 |
| 16 | D-2 | Second Amended Complaint | 30 |
| 17 | *Exhibits were retained by counsel. | | |

1 - - -

2 BARRINGTON WHYTE, after having
3 been first duly sworn, was examined
4 and testified as follows:

5 - - -

6 MS. HARPER: Usual
7 stipulations?

8 MR. FILIPOVIC: That's fine.

9 - - -

10 (It is hereby stipulated and
11 agreed by and between counsel for
12 the respective parties that
13 reading, signing, sealing,
14 certification and filing are waived
15 and that all objections, except as
16 to the form of the question, be
17 reserved until the time of trial.)

18 - - -

19 EXAMINATION

20 - - -

21 BY MS. HARPER:

22 Q. Mr. Whyte, my name is Megan Harper,
23 I'm an attorney with the City of
24 Philadelphia. How are you doing?

1 A. Good. How are you doing?

2 Q. Good, thanks.

3 I'm going to start by giving you a few
4 instructions with regard to the conduct of
5 the deposition today.

6 First, as you know, we have a court
7 reporter recording our words. So I ask that
8 you keep all your responses to my questions
9 verbal. Nods of the head won't be -- she
10 won't be able to record those.

11 A. Okay.

12 Q. Also, please wait until I finish my
13 question before you start responding. If we
14 start talking over each other, which is
15 natural in conversation, that causes some
16 confusion on the record as well.

17 I think everybody has an interest in
18 getting the most clear record possible. So
19 in that regard, if I ask a question that you
20 don't understand, please let me know. It's
21 important that, you know, we get an accurate
22 as possible record of what we're trying --
23 the facts we're trying to speak about here.

24 In general, I don't want you to guess

1 at a response to one of my questions. If you
2 don't know the answer, let me know. I may
3 try and re-form my question or narrow down
4 the scope of the question, so we can try and
5 get at least some sort of response
6 substantive to the question. But other than
7 that, try not to guess.

8 A. Okay.

9 Q. I do have to ask one question, your
10 counsel may have prepped you on this. Did
11 you ingest any drugs or alcohol that may
12 impair your ability to give clear testimony
13 today?

14 A. No.

15 Q. Okay. Can you state your full name
16 for the record?

17 A. Yes, Barrington Whyte.

18 Q. What is your current address?

19 A. 1425 South 62nd Street, Philadelphia,
20 Pennsylvania 19139.

21 Q. 1425 South 62nd Street, is that --

22 A. I mean 146, I'm sorry about that.

23 Q. Have you resided at 1425 South 62nd
24 Street in the near past?

1 A. Yes.

2 Q. Okay. When did you last reside at
3 that address?

4 A. I still reside there.

5 Q. Okay. So you do not reside at 146
6 South 62nd Street, correct?

7 A. Yes, I do.

8 Q. Do you reside in both locations?

9 A. No, 146 South 62nd Street.

10 Q. Yeah.

11 A. That's the current address.

12 Q. How about 1425 South 62nd Street, have
13 you lived there in the past?

14 A. No.

15 Q. Does that address have any
16 significance to you? I'm just curious as to
17 why you mentioned 1425 South 62nd Street as
18 your address.

19 A. I probably wasn't thinking. I
20 apologize for that.

21 Q. Do you know who lives at 1425 South
22 62nd Street?

23 A. No.

24 Q. Can you just give me your date of

1 birth?

2 A. February 25, 1983.

3 Q. And when I refer to the property, just
4 so we're clear from this point forward,
5 unless I say otherwise, when I say the
6 property, I'm referring to 146 South 62nd
7 Street; do you understand that?

8 A. Yes.

9 Q. Okay. Who lives with you at 146 South
10 62nd Street?

11 A. Lyndel Toppin.

12 Q. Anybody else?

13 A. No.

14 Q. How long have you lived at the
15 property?

16 A. About, I would say about ten years or
17 so.

18 Q. Do you know how long Mr. Toppin has
19 lived at the property?

20 A. About probably 15.

21 Q. Okay. Mr. Toppin isn't here with you
22 today, is he?

23 A. No.

24 Q. Did you have any involvement in the

1 decision not to bring him here today?

2 A. No.

3 Q. Mr. Toppin is the plaintiff with
4 respect to the lawsuit that we're here taking
5 your deposition for; is that correct?

6 A. Yes.

7 Q. Okay. Can you tell me where you lived
8 before living at the property, say -- give me
9 a -- you mention you lived at the property
10 for the past ten years.

11 A. Um-hum.

12 Q. In the ten years prior to that, can
13 you give me some addresses as to where you
14 were residing?

15 A. I was actually staying with my mother
16 at that time before that.

17 Q. Okay. Where is her home?

18 A. 6045 Christian Street.

19 Q. How about Mr. Toppin, do you know
20 where he lived prior to residing at the
21 property?

22 A. No, I'm not sure.

23 MS. HARPER: Could we go off
24 the record for a second.

1 - - -

2 (Whereupon, a discussion was
3 held off the record.)

4 - - -

5 (Whereupon the Plaintiff's
6 Responses to Defendant, The Sheriff
7 of the City of Philadelphia's First
8 Set of Interrogatories was marked,
9 for identification purposes, as
10 Exhibit D-1.)

11 - - -

12 BY MS. HARPER:

13 Q. I'm going to hand to your counsel
14 copies of what we've marked as Exhibit D-1
15 here.

16 MS. HARPER: Counsel, could
17 you hand -- when you're ready.

18 MR. FILIPOVIC: Sure.

19 BY MS. HARPER:

20 Q. Mr. Whyte, if you could take a look at
21 what has been marked as Exhibit D-1 and let
22 me know when you have had an opportunity
23 review it. Take your time. I'm not in a
24 rush.

1 Mr. Whyte, have you had an opportunity
2 to review the document that has been marked
3 D-1?

4 A. Yes.

5 Q. I'm going to refer you to the first
6 page underneath what appears as the case
7 caption, it says, Plaintiff's Responses to
8 Defendant, Sheriff of the City of
9 Philadelphia's First Set of Interrogatories,
10 do you see that?

11 A. Yes.

12 Q. Have you seen this document before?

13 A. Yes.

14 Q. I don't want to know about
15 conversations that you've had with your
16 attorneys, so just be wary that when I ask
17 you, did you assist in providing the
18 information that appears in the answers that
19 are in this document?

20 MR. FILIPOVIC: Counsel,
21 that's a little bit of -- or is it
22 a work -- attorney work product
23 privilege.

24 MS. HARPER: No, the

1 information that was actually
2 requested in the interrogatories,
3 so it's an answer. I think it's
4 fair to ask here again.

5 MR. FILIPOVIC: Well, it was
6 objected to as well.

7 MS. HARPER: But it wasn't
8 objected to --

9 MR. FILIPOVIC: It was
10 generally objected to.

11 MS. HARPER: Okay. Are you
12 going to allow him to answer?

13 MR. FILIPOVIC: Sure. But
14 under the objection.

15 So go ahead and repeat the
16 question.

17 BY MS. HARPER:

18 Q. Do you need me to restate the
19 question?

20 A. Yes please.

21 Q. Mr. Whyte, did you assist in providing
22 the responses to these interrogatories?

23 A. Yes.

24 Q. Okay. Can you please refer, on the

1 third page, the response to interrogatory No.

2 2. Do you see where it says -- well, the
3 question states, "State all addresses where
4 you lived for the last five years, up to your
5 present address as stated above in your
6 answer to interrogatory No. 1, with
7 approximate dates of when you resided at
8 those addresses and who resided there with
9 you, if anyone." Do you see that
10 interrogatory No. 2?

11 A. Yes.

12 Q. The response to interrogatory No. 2
13 says, "I have resided at 146 South 62nd
14 Street, Philadelphia, PA 19139 for the last
15 30 years." Did you provide that information?

16 A. Yes.

17 Q. Okay. And today, is it your
18 understanding that when it says "I," this is
19 referring to the plaintiff, Lyndel Toppin?

20 A. No, I wasn't sure of that.

21 Q. Well, were you speaking -- when you
22 provided that information that someone had
23 lived there for the last 30 years, were you
24 speaking of yourself or Mr. Toppin?

1 A. Of myself.

2 Q. Okay. But you're not the plaintiff in
3 this case, correct?

4 MR. FILIPOVIC: That's been
5 asked and answered. You don't have
6 to answer it again.

7 BY MS. HARPER:

8 Q. Okay. And you, yourself, have only
9 lived at that address for the last ten years,
10 correct?

11 A. On and off, yes.

12 Q. And Mr. Toppin, you estimate, has
13 lived there for the last 15 years, correct?

14 A. In and out of there, yes.

15 Q. So what is the correct answer to that
16 question that's posed at interrogatory No. 2,
17 which is, "State all addresses where you
18 lived for the last five years, up to the
19 present address." Here it states, he's lived
20 at the property for 30 years. Is that
21 accurate?

22 A. Well, that was actually stating that
23 me and myself was there on and off for 30
24 years.

1 Q. Okay. Can you tell me what your job
2 is currently?

3 A. Actually, I work now at a warehouse.

4 Q. How long have you worked at the
5 warehouse?

6 A. For about a month now.

7 Q. Where did you work prior to that?

8 A. I was cooking.

9 Q. For whom?

10 A. Catering company by the name Just
11 Serve.

12 Q. How long did you work for Just Serve?

13 A. I was there for, I would say about six
14 years.

15 Q. Okay. So between October of 2017 and
16 July of 2018, is it fair to say that you were
17 working for the catering company?

18 A. From July to October.

19 Q. From October 2017 to July 2018?

20 A. Yes.

21 Q. Did you have any other jobs during
22 that time period?

23 A. Well, I had little like odd carpentry
24 jobs in between.

1 Q. Was that just on an as-needed basis,
2 you weren't scheduled to work?

3 A. No, I wasn't scheduled, just when
4 needed.

5 Q. Was it one particular contractor you
6 worked for?

7 A. No, just for myself, doing that for
8 family members of that nature.

9 Q. How about Mr. Toppin, I think I have a
10 sense of where he's working and how long he's
11 worked there. Can you tell me what you know
12 about his employment?

13 A. From what I know, he's a dishwasher at
14 his job, it's a restaurant.

15 Q. Do you know what restaurant is it?

16 A. I believe the name is Au Bon Pain.

17 Q. Do you know where that restaurant is
18 located?

19 A. I don't know exactly where it's
20 located, no.

21 Q. How long, is it your understanding,
22 that he's worked there?

23 A. How long has he worked there?

24 Q. Yes.

1 A. I would say about over 20 years or so.

2 Q. Can you tell me, speaking about
3 yourself personally, between October of 2017
4 and July of 2018, can you tell me what your
5 job schedule was like with the catering
6 company?

7 A. It was every day from morning to
8 night.

9 Q. Seven days a week?

10 A. Yes.

11 Q. Do you know anything about
12 Mr. Toppin's work schedule during that time
13 frame?

14 A. Not really, because I usually work at
15 that time.

16 Q. Do you know if he has a regularly
17 scheduled work schedule essentially?

18 A. Monday through Friday, I believe.

19 Q. Do you know the hours?

20 A. That I'm not sure of.

21 Q. Do you know how old Mr. Toppin is?

22 A. Not really, I'm not guaranteed. I'm
23 not sure.

24 Q. Would you say he's in his 30's?

1 A. No, he's older than that.
2 Q. In his 60's?
3 A. I could say about that, yeah.
4 Q. Who is his mother?
5 A. Eleanor Zalkin.
6 Q. Who is his father?
7 A. That I don't know.
8 Q. What is your relationship to
9 Mr. Toppin?
10 A. That's my uncle.
11 Q. So is one of your parents the brother
12 or sister of Eleanor Zalkin?
13 A. No.
14 Q. Explain your relationship, if you
15 could, familiar relationship to Lyndel
16 Toppin. He's your uncle by what?
17 A. Through my grandmother.
18 Q. Okay. Who is your grandmother?
19 A. Eleanor Zalkin.
20 Q. You're saying he's the brother of
21 Eleanor Zalkin?
22 A. That's her son.
23 Q. It's her son?
24 A. Yes.

1 Q. Did Eleanor Zalkin have any other
2 children?

3 A. Not that I know of.

4 Q. Are you related by blood to
5 Mr. Toppin?

6 A. Yes.

7 Q. Can you explain to me how?

8 A. I mean, from what my grandmother be
9 telling me, it's just him, her and I'm her
10 grandson. She never really got into the
11 whole schick of everything.

12 Q. When did you first remember meeting
13 Mr. Toppin? Do you have a recollection of
14 that?

15 A. When I was young. When I was about --
16 I mean, he's been around me most of my life,
17 so I can say as far as me understanding,
18 probably about ten or eight, something like
19 that.

20 Q. And your grandmother is Eleanor
21 Zalkin, she's deceased, correct?

22 A. Yes.

23 Q. Who are your parents?

24 A. My mother is Lillian.

1 Q. What's her last name?

2 A. Brooks, B-R-O-O-K-S.

3 Q. And your father?

4 A. I don't know.

5 Q. Okay. It's my understanding that
6 Mr. Toppin has some sort of limitations in
7 his ability to communicate; is that correct?

8 A. Yes.

9 Q. Okay. Can you describe for me what
10 you observe those limitations to be?

11 A. He can't hear or talk.

12 Q. Has it been that way since you've
13 known him?

14 A. Yes.

15 Q. Do you know if he ever went to school
16 at any point, like elementary or
17 kindergarten, anything?

18 A. I'm not sure of that.

19 Q. You don't know?

20 A. No.

21 Q. Do you know if he ever had a legal
22 guardian appointed for him?

23 A. I believe that's his mother.

24 Q. He's got a cell phone, correct?

1 A. Yes.

2 Q. What does he use the cell phone for?

3 A. That I'm -- mostly I see him using it
4 checking the time, is mostly what he uses it
5 for.

6 Q. Is it any sort of special kind of
7 phone?

8 A. No.

9 Q. Just a regular cell phone?

10 A. Just a regular flip phone.

11 Q. Okay. Do you know if he uses it to
12 text folks?

13 A. No, he can't text.

14 Q. Can you tell me what he is able to do
15 in terms of speaking? What can he do?

16 A. Speaking?

17 Q. Um-hum.

18 A. Well, he can't speak at all.

19 Q. No words?

20 A. No.

21 Q. How about in terms of hearing, to your
22 knowledge does he hear anything?

23 A. He can't hear anything, no.

24 Q. How about with respect to writing, can

1 he write anything?

2 A. His name.

3 Q. Anything else?

4 A. That's it.

5 Q. How about with respect to -- how do
6 you communicate with him?

7 A. Just basic commands.

8 Q. Are they sign?

9 A. Just as, for example, bathroom, you
10 know how us men go to the bathroom, he gives
11 me that indication for bathroom.

12 Q. So it's sort of your own method of
13 communicating, it's not an official sign
14 language?

15 A. No, it's not official sign language.

16 Q. Do you know if he understands sign
17 language?

18 A. He doesn't.

19 Q. Do you know if he can read?

20 A. He can't read.

21 Q. Is he able to understand what this
22 case is about?

23 A. No.

24 MR. FILIPOVIC: Object to that

1 as being in the province of an
2 expert, a medical expert.

3 MS. HARPER: Is there an
4 expert?

5 MR. FILIPOVIC: No, but the
6 question is within province of an
7 expert as far as -- what the
8 question goes, as far as his
9 communications with Mr. Whyte and
10 their general ideas. But if you
11 are going to ask him about what his
12 -- what Toppin understanding goes
13 beyond communication with Barry and
14 every day activities.

15 MS. HARPER: So you're
16 inducting him not to answer
17 questions about his understanding
18 of this case?

19 MR. FILIPOVIC: No, I'll let
20 him answer. The objection that's
21 on the record is that I believe
22 that that question is for an
23 expert.

24 MS. HARPER: Okay. All right.

1 BY MS. HARPER:

2 Q. Well, let me ask you this --

3 MR. FILIPOVIC: But he's
4 already answered.

5 MS. HARPER: No, I'm asking a
6 different question. That's fine.

7 BY MS. HARPER:

8 Q. Have you tried to convey to Mr. Toppin
9 what this case is about?

10 A. In bits and pieces, yes.

11 Q. Do you think he understands what
12 you're trying to convey?

13 A. No.

14 Q. What is your understanding of what the
15 lawsuit is about?

16 A. Basically it's from the sheriff and
17 all these statements that have been put on to
18 the home that we've been at.

19 Q. Has Mr. Toppin ever lived alone?

20 A. No.

21 Q. Has Mr. Toppin ever lived at 5813
22 Lansdowne Avenue?

23 A. Yes.

24 Q. And when did he live there last?

1 A. I want to say about five, six years
2 ago maybe.

3 Q. How about 164 Sherbrook Boulevard in
4 Upper Darby, has he lived there?

5 A. That I don't know of.

6 Q. Does 6936 Ruskin Lane in Upper Darby
7 ring a bell?

8 A. No.

9 Q. Who is Alvita Hughes?

10 A. That's my cousin.

11 Q. Is she related to Lyndel Toppin by
12 blood?

13 A. No.

14 Q. Has she ever lived with Lyndel Toppin?

15 A. No.

16 Q. Have you ever lived in the same home
17 as Alvita Hughes?

18 A. Yes.

19 Q. When was that?

20 A. This was about two years ago.

21 Q. And what address was that?

22 A. I can't really remember off top.

23 Q. It was about two years ago, you don't
24 remember, was it in Philadelphia?

1 A. Yes, it was in Philadelphia.

2 Q. What section?

3 A. It was in South Philadelphia.

4 Q. You don't remember the name of the
5 street?

6 A. I know the building, it's the -- there
7 is a nursing home that's down there in South
8 Philly.

9 Q. It's near a nursing home or in the
10 nursing home?

11 A. It's actually the nursing home is in
12 the building. She was taking care of her
13 mother there. We were both helping take care
14 of her mother while we were there.

15 Q. Okay. Do you know if Mr. Toppin has
16 like a primary care physician, someone who
17 oversees his medical care?

18 A. I'm not sure of that.

19 Q. Can you tell me on a day-to-day basis
20 how you -- how, if at all, you assist
21 Mr. Toppin with his sort of daily activities
22 of living?

23 A. Well, myself personally, I try, you
24 know, when I get off of work, I try to like

1 make him meals and things like that. You
2 know, just set up like an eating plan for
3 him.

4 Q. Is he able to get to and from work on
5 his own?

6 A. Yes.

7 Q. How does he do that?

8 A. He catches the el train.

9 Q. Do you have his cell phone number in
10 your cell phone?

11 A. No.

12 Q. Do you ever use his cell phone to
13 communicate with him in any way?

14 A. No.

15 Q. Other than preparing meals for him, or
16 having a meal plan, eating plan for him, is
17 there anything else you do to assist with his
18 daily activities of living?

19 A. No. Basically I wash his clothes from
20 time to time.

21 Q. Okay.

22 A. And I maybe -- well, he has like this
23 kind of pain, his legs swell, so I massage
24 his leg every once in a while.

1 Q. Do you know anything about the history
2 of his communication limitations? Like do
3 you know if anything happened to him to cause
4 those?

5 A. I'm not sure, no.

6 Q. Okay. Can you describe the front of
7 the property at 146 South 62nd Street. If
8 I'm looking at it from the sidewalk -- is
9 there a sidewalk in front of it?

10 A. Yes.

11 Q. Describe what the front of the
12 property looks like to me.

13 A. Looking at it from the front, you have
14 the first three steps you walk up. And then
15 it's about another six, seven steps and then
16 it's the screen door and the regular door.
17 And to the right it has a big window.

18 Q. Okay. Where is your room -- do you
19 have a bedroom in that house?

20 A. Yes.

21 Q. Where is that?

22 A. The front bedroom.

23 Q. So does it face the street?

24 A. Yes.

1 Q. And is there a window in your room
2 that faces the street?

3 A. Yes.

4 Q. Does the house currently have water
5 service?

6 A. Yes.

7 Q. Has it been without water service for
8 any period of time in the recent past?

9 A. At one point I had a water pipe broke.
10 About two winters ago a pipe busted, I had
11 the water department come fix it for me.

12 Q. Since that period two years ago, water
13 has been supplied to the property?

14 A. Yes.

15 Q. How about other utilities, electric?

16 A. Yes.

17 Q. Gas?

18 A. Yes.

19 Q. And was that true in October of 2017
20 through July of 2018 for all of those
21 utilities?

22 A. I'm sorry?

23 Q. Did the house have water --

24 A. Yes.

1 Q. -- from October 2017 to July 2018?

2 A. Yes.

3 Q. Did it have gas from October 2017 to
4 July 2018?

5 A. Yes.

6 Q. Did it have electric from October 2017
7 to July 2018?

8 A. Yes.

9 MS. HARPER: Mark that as D-2
10 please.

11 - - -

12 (Whereupon the United States
13 Bankruptcy Court Complaint was
14 marked, for identification
15 purposes, as Exhibit D-2.)

16 - - -

17 BY MS. HARPER:

18 Q. I'm passing what has been marked as
19 D-2 along with copies of that document to
20 your counsel.

21 Once you have the document before you,
22 please take your time and take a look at it.

23 MS. HARPER: And I will say,
24 counsel, I didn't include the

1 Exhibits to this just for volume
2 sake.

3 MR. DUNNE: That's all right.

4 MR. FILIPOVIC: Whatever fits
5 your purpose.

6 BY MS. HARPER:

7 Q. Mr. Whyte, have you had an opportunity
8 to review what was marked as Exhibit D-2?

9 A. Yes.

10 Q. And can you tell me what your
11 understanding is to what this document is?

12 A. The bankruptcy case and the claim
13 against the Sheriff's Office.

14 Q. Have you seen this document before?

15 A. Yes.

16 Q. Did you assist in providing
17 information that appears in this document?

18 A. Yes.

19 Q. I'd like you to turn to page 2 of 14,
20 you'll see that at the top. Are you on page
21 2 of 14?

22 A. Yes.

23 Q. There is a paragraph at the very top
24 of the document, I'm going to read the last

1 sentence of that paragraph for you. It says,
2 "Yet, more than six weeks after it was placed
3 on notice and knowledge of, Mr. Toppin's
4 bankruptcy, defendants continue to employ
5 process by sending armed Philadelphia
6 Sheriffs to the debtor's personal residence
7 on six separate occasions in direct
8 contravention of 11 U.S.C., Section 362" --
9 that squiggly line stands for section -- "a,
10 (the automatic stay) and with express orders
11 of this court."

12 Do you see that sentence?

13 A. Yes.

14 Q. I'm going to refer you to the part
15 that says, "Sending armed Philadelphia
16 Sheriffs to the debtor's personal residence
17 on six separate occasions." Do you
18 understand who the debtor is?

19 A. I believe Lyndel.

20 Q. Okay. And do you understand what it
21 means when it says residence?

22 A. The home.

23 Q. And that's the property we have been
24 talking about?

1 A. Yes.

2 Q. And that information, six separate
3 occasions, where did that information come
4 from?

5 A. The notices that were put on the door.

6 Q. And the information that the sheriffs
7 were armed, do you see that? It says,
8 "Sending armed Philadelphia Sheriffs." Where
9 did that information come from?

10 MR. FILIPOVIC: I'm going to
11 just repeat my continuing objection
12 to the attorney work product for
13 the complaint.

14 MS. HARPER: It couldn't
15 possibly come from the attorneys
16 because they weren't there. This
17 is a fact.

18 MR. FILIPOVIC: It is a
19 pleading done by --

20 MS. HARPER: It is a fact.

21 MR. FILIPOVIC: It is a fact.
22 But where it came from is within
23 the scope of attorney work product.

24 MS. HARPER: You couldn't have

1 possibly given it to him.

2 MR. FILIPOVIC: Irregardless
3 of who and what and where it came
4 from, I believe that -- just my
5 standing objection. He can answers
6 if he know.

7 MS. HARPER: Is it your belief
8 that I don't have a right to
9 understand where the facts that
10 were asserted against my client
11 were derived from, where they came
12 from? Isn't that what discovery
13 was about?

14 MR. FILIPOVIC: You just need
15 to rephrase the question a little.

16 MS. HARPER: Okay. I'll try.

17 BY MS. HARPER:

18 Q. That statement, "Armed Philadelphia
19 Sheriffs," were they armed?

20 A. That I'm not sure of.

21 Q. You didn't see them?

22 A. Me personally, no.

23 Q. You weren't there on the six occasions
24 when they allegedly came to the property?

1 A. No, I wasn't there.

2 Q. Was Mr. Toppin?

3 A. Probably he was.

4 Q. How do you know?

5 A. Well, I'm usually at work, like I
6 said, all day, and he doesn't work all day.

7 Q. What are the hours that he works?

8 MR. FILIPOVIC: Objection.

9 Asked and answered.

10 MS. HARPER: No. I know what
11 days he works.

12 MR. FILIPOVIC: No, it was
13 about the hours. We can go back on
14 record, counsel, and we can take a
15 look. He said he wasn't sure about
16 the hours.

17 THE WITNESS: No.

18 BY MS. HARPER:

19 Q. So if you're not sure about the hours
20 that he worked, how can you be sure he was
21 there when these armed sheriffs allegedly
22 came to the property?

23 A. The job that he works at, it's a
24 certain time it closes, it doesn't stay open

1 all night long. I would take it it closes
2 regular, like 5:00.

3 Q. Closes around 5:00?

4 A. Like around that time.

5 Q. So you would expect him home some time
6 after 5:00?

7 A. Or any time before that. I don't know
8 if he works the whole day. I'm just saying,
9 the business probably stays open until about
10 five, but I don't know if he actually stays
11 until five.

12 Q. But you live with him. Do you get any
13 general sense of his comings and goings?

14 A. Well, when I come in, I just -- I get
15 the sense when he's home. You know, it's
16 just a feeling I get that somebody is in the
17 house already.

18 Q. Can you tell me if there is any
19 regularity to that? Like when you come home
20 on Monday, say -- what time do you usually
21 get home on a Monday?

22 A. It varies, because I take public
23 transportation, so it varies.

24 Q. I hear you.

1 A. So if anything, probably about --
2 well, if I'm lucky, about 11.

3 Q. At night?

4 A. Yes.

5 Q. And he's usually home by 11 at night?

6 A. Yes.

7 Q. Is that the same as Tuesday?

8 A. Yes.

9 Q. Wednesday?

10 A. I could say that, yes.

11 Q. Thursday?

12 A. Yes.

13 Q. And Friday?

14 A. Yes.

15 Q. Now I think when we were talking about
16 a time frame earlier, about October 2017 to
17 July 2018, I think you had a different job
18 then, that was when you were working for the
19 caterer. What time of night or day would you
20 generally come home from that job?

21 You mentioned you worked every day,
22 morning to night. So about what time would
23 you get home?

24 A. If it's a normal day, probably about

1 11. If we get off early or we have nobody to
2 cook for or if the show was canceled that
3 day, probably about eight, 9:00.

4 Q. Eight, 9:00 at night?

5 A. Yes, p.m.

6 Q. When you had that catering job and
7 when you would get home from that catering
8 job, was Mr. Toppin generally home already?

9 A. Yes.

10 Q. When you left for the catering job in
11 the morning, what time would you leave?

12 A. That would be about -- I would say
13 about like seven. I would have to leave two
14 hours earlier than I have to be there, so
15 about seven.

16 Q. Seven in the morning?

17 A. Yes.

18 Q. Was Mr. Toppin generally home when you
19 left the property?

20 A. Well, he would be getting himself like
21 prepared to leave around that time.

22 Q. So is it your understanding that he
23 would leave for work at like the same time as
24 you?

1 A. I would say, if anything I would
2 probably think around nine or something.

3 Q. In the morning?

4 A. Yes.

5 Q. And he has a Monday through Friday job
6 you think; is that correct?

7 A. Yes.

8 Q. Okay. And this was true as of the
9 time frame of October 2017 to July 2018; is
10 that correct?

11 A. Yes.

12 Q. Okay. So let's go back to page 2 of
13 the document that has been marked as D-2. If
14 you look at the next paragraph, there is a
15 bunch of dates bolded and underlined; do you
16 see those?

17 A. Yes.

18 Q. Could you please read -- I guess
19 that's all one sentence there. Could you
20 please read, you can do this to yourself,
21 that's fine, the sentence that includes those
22 dates. Take a moment to look at that.

23 A. (Witness complies.)

24 Q. Have you had a moment to look at that

1 sentence?

2 A. Yes.

3 Q. It's a pretty long one. Those dates
4 that appear there that are bolded and
5 underlined. I think there is three of them,
6 May 18, 2018, May 24, 2018, May 30, 2018,
7 June 1, 2018, June 5, 2018 and June 7, 2018,
8 those are six dates, correct?

9 A. Yes.

10 Q. And according to this document, those
11 are the dates that notices were posted on the
12 property; is that correct?

13 A. Yes.

14 Q. All right. Did you provide the
15 information that appears in that sentence
16 regarding the dates that notices were posted
17 on the property?

18 A. Yes.

19 Q. And how do you know that that
20 information is correct?

21 A. Well, these were around about dates
22 that they would come in. It was so frequent,
23 you know, it was like kind of -- it was
24 getting irritating, so I couldn't really

1 forget those days that they were putting them
2 up there, it was really getting to me, it was
3 embarrassing at a point.

4 So my main focus was like remembering
5 these times when they were put there so I
6 could transfer that information to my lawyer.

7 Q. And what does "posted" mean to you?
8 What does that term mean to you?

9 A. Like placed in vision for you to
10 notice.

11 Q. When was the first notice that you saw
12 on the property? What date is that?

13 A. May -- well, it was around May.
14 Around the 18th, around that time in May.

15 Q. And where was the notice that you
16 observed?

17 A. That one was on the front door. It
18 was posted on the front door inside of the
19 screen door.

20 Q. And you observed one notice on May
21 18th?

22 A. Yes.

23 Q. What time of day did you observe that
24 notice on May 18th; do you recall?

1 A. That was -- that was like in the
2 afternoon.

3 Q. So you were home from work on May
4 18th?

5 A. Yes, that day, yes.

6 MS. HARPER: I'm just looking
7 at a calendar here, and, you know,
8 I'm happy to circulate it. I don't
9 intend to mark this as an Exhibit,
10 just a calendar from 2018. Do you
11 want a copy to look along?

12 MR. FILIPOVIC: We don't need
13 it. Thank you.

14 BY MS. HARPER:

15 Q. So May 18th was a Friday. It says May
16 18th of 2018, that was a Friday.

17 A. Yes.

18 Q. You, apparently, I guess, weren't
19 working a full day that day?

20 A. No.

21 Q. On May 24th, that's the next date that
22 was stated, is that the next date you
23 observed a notice posted at the property?

24 A. Well, that date is actually when

1 Lyndel had given me the paper on that
2 occasion.

3 Q. Do you know where he got it?

4 A. It had tape on it, so I'm pretty sure
5 the front door.

6 Q. Did you see any envelope with it?

7 A. No. No envelope.

8 Q. Are you sure it wasn't the notice that
9 you observed on May 18th?

10 A. It looked like the same notice, yes.

11 Q. Could it have been the same notice?

12 A. Not that same. The notice that I got
13 the first time I took that out and had it in
14 my room. So this was the second notice that
15 he gave me this time.

16 Q. You don't know where he observed that
17 notice first, do you?

18 A. No, I just assumed it was the front
19 door. When he handed it to me, it had the
20 silver two pieces of tape on the side of the
21 paper.

22 Q. What kind of tape?

23 A. It was just basic duct tape.

24 Q. But you can't say personally whether

1 that notice on May 24th was actually posted
2 to the door?

3 A. No, not exactly.

4 Q. How about on May 30th, that's the
5 approximate date of the next notice. Did you
6 observe a notice on the property on May 30th?

7 A. No, that's another one that actually
8 was inside the house actually that day.

9 Q. What did you observe?

10 A. Well, it was on the couch when I came
11 in, so I'm assuming he got to it first and,
12 you know, put it there.

13 Q. But he can't communicate with you as
14 to how he got a hold of that, can he?

15 A. No. But I just looked at it as the
16 tape being on there, it was the same way.
17 Because they all came the same exact way.

18 Q. Did any of them have envelopes
19 associated with them?

20 A. No. No envelopes.

21 Q. How about June 1st, did you observe
22 that one posted on the house?

23 A. That's another one that he gave to me
24 also.

1 Q. Did you try and communicate with
2 Mr. Toppin at all on these dates as to what
3 the notices were about?

4 A. Well, not actually communicate. Well,
5 the second one, like when he -- when I saw it
6 on the couch, and I actually picked it up, he
7 was coming down at that particular time and
8 he just saw like how I was just like shaking
9 my head.

10 The first one, I understood. But the
11 second one, I couldn't really process it
12 through my head. So me looking at it, I was
13 just shaking my head at that time.

14 Q. What did you do -- okay. So I know
15 the May 18th notice you said you had taken
16 that to your room; is that correct?

17 A. The May 18th, yes.

18 Q. How about, what happened with the May
19 24th notice, the second one?

20 A. Yes.

21 Q. What happened with that after you saw
22 it?

23 A. I kept that one also.

24 Q. In your room?

1 A. Yes.

2 Q. All right. How about the May 30th
3 notice, what happened to that after you saw
4 it?

5 A. Kept that one. Filed it also.

6 Q. Filed it in what?

7 A. Just put it in my folder so I wouldn't
8 lose it.

9 Q. You had a folder for this purpose?

10 A. No. Just so I didn't lose it. I had
11 a folder in my house and I decided to put it
12 in there.

13 Q. What happened with the June 1st notice
14 after you saw it?

15 A. Put that one up also.

16 Q. Okay. How about June 5th. Can you
17 tell me when you first saw the June 5th
18 notice?

19 A. That one was actually on the dining
20 room table when I actually came in that day
21 -- well, that night. It was on the dining
22 room table.

23 Q. Do you know how it got there?

24 A. I'm pretty sure my uncle.

1 Q. Did this one also have tape?

2 A. Yes.

3 Q. Was there any envelope associated with
4 this one?

5 A. No envelopes. No.

6 Q. How about June 7th?

7 A. That one was inside the house also.

8 Q. Where was it?

9 A. On the table also.

10 Q. Did it have tape on it?

11 A. I'm sorry?

12 Q. Was there tape on it?

13 A. Yes.

14 Q. Did you take the tape off of any of
15 these notices at any point in time?

16 A. No, left it on.

17 Q. So when you gave them to your
18 attorney, they had the tape on them?

19 MR. FILIPOVIC: Objection.

20 MS. HARPER: It's a question.

21 MR. FILIPOVIC: It's a
22 question that presumes facts not on
23 the record.

24 MS. HARPER: Okay.

1 BY MS. HARPER:

2 Q. Do you know if Mr. Toppin took the
3 tape off the notices at any point in time?

4 A. No, I don't know if he took them off.

5 Q. Do you know if there was tape on the
6 notices -- did you provide the notices to
7 Mr. Dunne?

8 A. Yes.

9 Q. When you provided the notices to
10 Mr. Dunne, did they have tape on them?

11 A. No, I don't think. I think I took the
12 tape off of them.

13 Q. I thought you just said you didn't
14 take the tape off of them?

15 A. When I took them to him, I took the
16 tape off of them. When I had it in my house
17 filed in the folder, I left it on. To make
18 it look more neat and kosher to him, I took
19 the tape off.

20 Q. So you don't have any photos of the
21 notices with the actual tape on them, do you?

22 A. No.

23 Q. Do you have a Ring doorbell?

24 A. No.

1 Q. Do you know what a Ring doorbell is?

2 A. Yes. I don't have one.

3 Q. Do you have any security cameras
4 outside your house?

5 A. No.

6 Q. And when these notices left your
7 possession, did they have anything else with
8 them? You said there were no envelopes,
9 correct?

10 A. No envelopes. No.

11 Q. Okay. And so it's fair to say that
12 other than the very first notice of May 18th,
13 you never actually observed a notice posted
14 on the property?

15 A. Me personally, no.

16 Q. Okay.

17 MR. FILIPOVIC: Just to
18 clarify that, is that, notice being
19 posted on the property?

20 MS. HARPER: No posted.

21 MR. FILIPOVIC: Or a posted
22 notice on property?

23 MS. HARPER: Um-hum. We
24 already know he didn't see anybody

1 posting the notices, that's clear.

2 MR. FILIPOVIC: I need to go
3 to the restroom, if that's okay.

4 MS. HARPER: Sure. Sure.

5 - - -

6 (Whereupon, a brief recess was
7 taken at 10:53 a.m. and the
8 deposition resumed at 11:05 a.m.)

9 - - -

10 BY MS. HARPER:

11 Q. I'm going to ask you a series of
12 questions about Mr. Toppin, and just answer
13 me if you can, if you don't know the answer,
14 that's fine, let me know.

15 A. Okay.

16 Q. Counsel is probably going to accuse me
17 of having asked and answered on this one
18 already, but we have gone through specific
19 dates, May 18th, May 24th, May 30th, June
20 1st, June 5th, June 7th, can you say with
21 absolute certainty that on any one of those
22 days Mr. Toppin was home when a notice was
23 allegedly posted?

24 MR. FILIPOVIC: Objection as

1 to absolute certainty.

2 BY MS. HARPER:

3 Q. Well, do you know if he was home on
4 any one of these days when a notice was
5 allegedly posted?

6 A. Well, I can't be actually sure. I
7 don't know if he got there before it came or
8 after it came.

9 Q. Do you know if he saw someone with a
10 gun on them on those days?

11 A. I wouldn't say actually he was saying
12 like he saw somebody with a gun. But he
13 compared like the little shield thing, he
14 just like made a comparison of the two. Just
15 showing me the similarity of the two.

16 Q. Was there a gun on the symbol?

17 A. No, but just a shield.

18 Q. Okay. Did Mr. Toppin, at any point in
19 time, try and describe to you a person that
20 came on the property on any one of those
21 days?

22 A. When I saw him, like I said, he showed
23 me the comparison of like the shield that was
24 on the notice or whatever, and he just

1 pointed to the similarity. He put the paper
2 next to himself and he showed me he peeked
3 through.

4 Q. So what is your understanding?

5 You're gesturing, which is hard for
6 the court reporter to take down. And if I
7 may try and summarize what you're showing me.
8 I'm going to turn the direction you're
9 sitting.

10 Which is that you believe Mr. Toppin
11 was gesturing to a shield on a piece of paper
12 and to his chest?

13 A. On the notice, yes. He was showing me
14 the comparison of the two, like he seen that
15 shield on the person.

16 Q. On the person, okay.

17 A. Yeah.

18 Q. All right. I'm going to refer you
19 back to what was marked as Exhibit D-2.

20 Well, before I do that. Let me ask
21 you a few more questions. We talked a little
22 bit about how you assist Mr. Toppin in his
23 day-to-day life, and that included maybe a
24 leg massage and with this eating plan.

1 I asked you if there was anything else
2 you would do to assist him. I don't think
3 you stated too much else. So I'm going to
4 ask you some specific questions about that.

5 Do you do grocery shopping for
6 Mr. Toppin?

7 A. Not particularly for him. I do it for
8 the house. So just whatever I buy is for
9 both of us.

10 Q. Does he do any grocery shopping
11 himself?

12 A. No.

13 Q. Do you do banking for Mr. Toppin?

14 A. Well, just on Friday when he gets paid
15 I would go down to the MAC machine with him
16 just to type his numbers in.

17 Q. Does he have his own bank account?

18 A. I think it's just the job card.

19 Q. Okay.

20 A. Jobs now, they put the paychecks on
21 cards now.

22 Q. But back in -- when did that start? I
23 think you just mentioned that you put
24 something in the -- go down to the machine

1 and put money in the ATM, correct?

2 A. No.

3 Q. Okay. Maybe I misunderstood. You
4 said on Fridays when he gets paid, you take
5 him down to the MAC machine. Is that to get
6 money out of the machine?

7 A. Yes, in case he needs any money or
8 anything.

9 Q. Do you know where he does his banking?

10 A. No, I'm not sure.

11 Q. Do you know how much he gets paid each
12 week?

13 A. I'm not sure on that either.

14 Q. Do you believe he gets paid on a
15 weekly basis?

16 A. I believe it's on a weekly basis, yes.

17 Q. Did you have any involvement when
18 Mr. Toppin was applying for or obtaining the
19 job he's held for the last 20 years?

20 A. No.

21 Q. So do you have any information as to
22 how he got that job?

23 A. I'm pretty sure through his mother, if
24 anything.

1 Q. His mother was still alive at the
2 time?

3 A. Yes.

4 MR. DOMER: If we can take a
5 second, go off the record.

6 - - -

7 (Whereupon, a discussion was
8 held off the record.)

9 - - -

10 BY MS. HARPER:

11 Q. Mr. Whyte, just going back to what we
12 were talking about a little bit about
13 Mr. Toppin's pay. I'd also like to know, who
14 pays the bills in the house?

15 A. I do.

16 Q. Okay. So you pay the property taxes?

17 A. Yes.

18 Q. About how much are they, per year?

19 A. I believe at the time it was like \$360
20 or something around that.

21 Q. How about the water bill? How much is
22 that, on average?

23 A. That's about, say about \$100
24 something.

1 Q. Gas bill, how much is that on average
2 per month?

3 A. Close to like 80-90.

4 Q. And lastly the energy bill for PECO,
5 how much is that a month, on average?

6 A. That's 150 a month, sometimes more.

7 Q. Does Mr. Toppin contribute to payment
8 for these bills?

9 A. I don't ask for it, no.

10 Q. So you're the only one paying these
11 bills in the house?

12 A. Yes.

13 Q. With your money?

14 A. Yes.

15 Q. All right. So looking back again at
16 what was marked as D-2, which is the
17 complaint, if you can take a look at that.

18 Let's look at D-1. Take a look at D-1
19 instead, I believe you had an opportunity to
20 review D-1 previously, correct?

21 A. Yes.

22 Q. I'm going to turn your attention then
23 to interrogatory No. 15. Which is towards
24 the back. Just let me know when you have

1 reached interrogatory No. 15.

2 A. I'm not sure which one that is.

3 Q. Maybe your counsel can point to -- the
4 page that starts with interrogatory No. 14,
5 interrogatory 15 is there too.

6 MR. FILIPOVIC: Starts with
7 No. 15.

8 MS. HARPER: 14. The top of
9 the page.

10 MR. FILIPOVIC: Okay. All
11 right.

12 MS. HARPER: Third page from
13 the back.

14 MR. FILIPOVIC: That helps.
15 Okay. I believe that's it.

16 BY MS. HARPER:

17 Q. All right. So I guess these -- I have
18 to kind of cover both 14 and 15 here. The
19 very first interrogatory No. 14 at the top,
20 do you see that where it says, "Do you claim
21 to have experienced emotional distress as a
22 result of the sheriff's alleged violations of
23 the automatic stay?" Do you see that?

24 A. Yes.

1 Q. The answer there is what?

2 A. "Yes."

3 Q. Did you provide that information that
4 informed the answer to this interrogatory?

5 A. Yes.

6 Q. And is it your understanding that that
7 question when it says, "You claim to have
8 experienced emotional distress," that that is
9 referring to Lyndel Toppin?

10 A. Yes.

11 Q. In the answer to the next
12 interrogatory, you'll see there is
13 subparagraphs to interrogatory No. 15, do you
14 see that?

15 A. Yes.

16 Q. And it says, "If your answer to
17 interrogatory No. 14 was yes, please:" And
18 then there is subparagraph A, "Set forth the
19 nature of the emotional distress." Do you
20 see that?

21 A. Yes.

22 Q. In the response to interrogatory No.
23 15, subparagraph A it says, "Armed
24 Philadelphia Sheriffs appeared at my home and

1 posted six separate 'Notices to Vacate' and
2 'Eviction Notices' that caused me a
3 substantial amount of undue frustration,
4 anxiety and mental anguish." Do you see
5 that?

6 A. Yes.

7 Q. Did you provide the information in
8 response to that interrogatory 15,
9 subparagraph A?

10 A. Yes.

11 Q. Tell me how you know -- we've already
12 discussed the armed sheriffs and whether they
13 were at the property on six separate
14 occasions to post notices, but tell me how
15 you know Mr. Toppin was caused undue
16 frustration, anxiety and mental anguish as a
17 result of those allegations?

18 A. Well, his actions started changing
19 during the process of the whole situation.
20 Because he smokes cigarettes, so he actually
21 was smoking more during this time of this
22 whole thing.

23 A few times -- I wouldn't say a few, I
24 would say a couple. A couple times I've come

1 home and the meal I set out in the microwave
2 or left on the table or whatever, still been
3 there more than any other time.

4 Normally when I get in that late --
5 normally he's probably asleep or something,
6 but I noticed that his light under his door
7 has been on.

8 Q. And what time frame are you noticing
9 these things? Let's start with the increased
10 smoking. When was it that he started smoking
11 more?

12 A. Well, that was actually, I want to say
13 after like the second time like when he
14 actually saw me with the notice in my hand.

15 Q. Which notice?

16 A. The second notice.

17 Q. Okay.

18 A. Because when I notice like after that
19 time, the smoking picked up more. I was
20 smelling it more heavier in the house.

21 Q. Did you notice anything like that
22 occurring before the property was sold at
23 sheriff's sale?

24 A. He would smoke probably one cigarette

1 a week, if anything.

2 Q. After the property was sold at a
3 sheriff's sale, was he still smoking one a
4 week?

5 A. Yes, it was one a week.

6 Q. And then when the Notice to Vacate
7 showed up, how much did he start smoking?

8 A. Well, it kind of -- I would say it
9 increased around that time. It was like
10 about three to -- three cigarettes maybe a
11 day at that point.

12 Q. Do you buy the cigarettes for
13 Mr. Toppin?

14 A. No.

15 Q. You say you work day to night when you
16 were working for the catering company, you
17 usually got home around 11, how do you know
18 how much he was smoking?

19 A. Well, the cigarette butts that were in
20 the house were not fully smoked all the way
21 down like people would smoke them. It was
22 like he put them out a quarter of it, it
23 looked like there was another one lit up. It
24 was probably about three or four in the

1 ashtray with the same length of the
2 cigarette.

3 Q. What brand?

4 A. Newports.

5 Q. Was it always the same brand for him?

6 A. Yes.

7 Q. Okay. Meals left out. Again, I
8 believe around this time you were generally
9 getting home from work pretty late; is that
10 correct?

11 A. Yes.

12 Q. And Mr. Toppin, was he awake when you
13 got home during this time frame that we're
14 talking about, back when the notices were
15 showing up?

16 A. Normally he wasn't but it was a few
17 times I seen his light under his door, like
18 when I come up, I have to walk passed his
19 door to get to my room. I would see under
20 the door his light was on and know that he
21 was still woke.

22 Q. Were there any other signs or symptoms
23 that you observed, besides the smoking and
24 the light under his door, and maybe an

1 uneaten meal here and there?

2 A. Just him, he never actually like paced
3 before. But that was another thing I noticed
4 also, it was kind of weird to me.

5 And then like it was only one time out
6 of that that he was telling me he had like a
7 little headache in his head. He just
8 indicated to me that he wanted a pill because
9 his head was hurting.

10 Q. How do you know that that was related
11 to what was going on with the notices, if at
12 all?

13 A. Well, it just all just collided around
14 all that same time, so I just assumed it was
15 from smoking more cigarettes at the point.

16 Q. If you turn the next page on what has
17 been marked as D-1.

18 A. Which one?

19 Q. I'm going to have you look at
20 interrogatory No. 17 which is the second one
21 there. It says, "Identify the compensatory
22 damages which you seek and the facts
23 supporting your claim for such damages."

24 In response to interrogatory No. 17 it

1 says, "Out of pocket expenses include all the
2 time I spent visiting my attorney's office to
3 stop the continuing violation of automatic
4 stay; lost potential income due to the time I
5 was unavailable to work as a result of
6 spending time at my attorney's office and
7 transportation costs to/from my attorney's
8 office." Do you see that information?

9 A. Yes.

10 Q. Now when the response uses the term
11 "I" and "my" quite a bit, is it your
12 understanding this refers to Mr. Toppin and
13 not you, correct?

14 A. Yes.

15 Q. So how do we know what days Mr. Toppin
16 took off from work? Do you have any record
17 of that?

18 A. No, I don't have any records of that.

19 Q. Did you have to make the phone calls
20 to his employer to say he needed time off?

21 A. Yes.

22 Q. So do you recall what days that
23 happened?

24 A. I don't remember exactly. It was more

1 than likely after the notice -- well, the
2 first notice when I had to contact my lawyer
3 to, you know, let him know whatever.

4 Q. He's your lawyer? Mr. Dunne is your
5 lawyer?

6 A. Yes. And to let him know about the
7 notices and everything like that.

8 Q. All right. But do you recall how many
9 times you went to Mr. Dunne's office?

10 A. I went there a lot of times myself. I
11 have been there a lot.

12 Q. Was Mr. Toppin with you every time you
13 went?

14 A. He was only with me a few times
15 because I didn't really want to keep pulling
16 him out of work every single time for it.

17 Q. Can you estimate the number of times
18 he had to go?

19 A. Probably about two.

20 Q. Okay. And on those two occasions that
21 you remember him going down to the attorney's
22 office, did you call out of work for him?

23 A. Yes.

24 Q. Who did you speak with, do you

1 remember? Does he have a supervisor?

2 A. The person -- I don't remember their
3 name. I don't remember their name at all.

4 Q. Okay. I think I'm done, but I want to
5 step out and go off the record a minute and
6 speak with my co-counsel here.

7 - - -

8 (Whereupon, a discussion was
9 held off the record.)

10 - - -

11 CROSS-EXAMINATION

12 - - -

13 BY MR. FILIPOVIC:

14 Q. I have a few questions just to follow
15 up. For the record, clarifying, my name is
16 Counsel Predrag Filipovic, I'm special
17 counsel for Lyndel Toppin.

18 Mr. Whyte, how are you?

19 A. Pretty good.

20 Q. I'm going to ask you a few follow ups
21 here. Same rules apply when answering my
22 questions as those asked by the Counsel
23 Harper there.

24 Mr. Whyte, is there anyone else in the

1 universe who you can think of now that is in
2 a better position to evaluate Mr. Lyndel
3 Toppin's behavior, his responses, and his
4 overall demeanor?

5 MS. HARPER: Objection. Calls
6 for an expert opinion. But you can
7 answer.

8 THE WITNESS: No. Besides his
9 mother, it's just me.

10 BY MR. FILIPOVIC:

11 Q. And his mother is no longer alive?

12 A. No, she's passed.

13 Q. She's passed, okay.

14 So is there anyone else in the
15 universe that has in the past interacted with
16 Mr. Toppin more frequently than yourself?

17 A. No.

18 Q. Is there anyone else in the universe
19 that you can think of that would be in a
20 better position to understand Mr. Toppin with
21 all his limitations --

22 MS. HARPER: Objection. Calls
23 for an expert opinion.

24 BY MR. FILIPOVIC:

1 Q. -- than yourself?

2 A. No.

3 MS. HARPER: My apologies,
4 counsel.

5 MR. FILIPOVIC: That's fine.

6 BY MR. FILIPOVIC:

7 Q. Mr. Whyte, is there anyone else in the
8 universe that you can think of, including
9 doctors, that has more direct knowledge of
10 Mr. Toppin's limitations --

11 MS. HARPER: Objection. Calls
12 for an expert opinion.

13 BY MR. FILIPOVIC:

14 Q. -- other than yourself?

15 A. No.

16 Q. Okay. That's all. I don't have
17 anything further.

18 - - -

19 REDIRECT EXAMINATION

20 - - -

21 BY MS. HARPER:

22 Q. Just one follow up in regards to that
23 line of questioning, Mr. Whyte.

24 Did you know if Mr. Toppin was seeing

1 any doctors in the past year?

2 A. No, he hasn't.

3 MS. HARPER: Okay. Also on
4 the record, counsel, I guess
5 because tape seems to become a
6 point here, I'd like to request on
7 the record that we be given access
8 to look at the actual notices that
9 I believe are in Mr. Dunne's
10 possession. And maybe we could do
11 that, I mean we are close, offices
12 are close. We could do that next
13 week, if that's okay?

14 MR. FILIPOVIC: I'm sorry,
15 what are you requesting?

16 MS. HARPER: The physical
17 notices, which I believe are in
18 Mr. Dunne's possession, we would
19 like to observe them personally.
20 We haven't had a chance to do that.
21 We've seen copies.

22 MR. FILIPOVIC: And these
23 notices are generated, created by
24 your client? Is that the notices

1 you want?

2 MS. HARPER: Well, you
3 remember there was a big thing
4 about whether they all came with
5 tape on them or not. I'm just
6 curious what I see. I can't see
7 any tape in the pictures so I would
8 like to take a look at them.

9 MR. FILIPOVIC: Yeah, we
10 provided the --

11 MS. HARPER: Copies.

12 MR. FILIPOVIC: -- the copies
13 that we have. And they are here
14 for you to take a look.

15 MS. HARPER: I've seen them.

16 MR. FILIPOVIC: But you're
17 asking to see the original?

18 MS. HARPER: Yes.

19 MR. FILIPOVIC: The originals?

20 MS. HARPER: Yes, just to take
21 a look.

22 MR. FILIPOVIC: I don't think
23 we would have a problem with that.

24 MR. DUNNE: No. No problem.

1 MR. FILIPOVIC: Aside from the
2 fact that it's -- we're beyond
3 discovery deadline and we have
4 motions to file and adhere to other
5 deadlines in the case.

6 MS. HARPER: We've talked
7 about that. We've broached that
8 subject.

9 MR. FILIPOVIC: Of this
10 actually --

11 MS. HARPER: Deadlines.

12 MR. FILIPOVIC: I'm talking
13 about this request you now have.
14 Have you ever had prior to today --
15 we don't mind providing notices so
16 long as it doesn't interfere with
17 the current deadlines in the case,
18 that's all I'm saying.

19 MS. HARPER: We can walk over
20 and look at them.

21 MR. DUNNE: In the spirit of
22 transparency, we're still waiting
23 for response to our discovery
24 request with respect to the log in

1 sheets and other documents that
2 have not been provided by the City
3 to date.

4 MS. HARPER: All right. So
5 maybe --

6 MR. FILIPOVIC: That's
7 correct.

8 MR. DUNE: Could you give us
9 an update on that?

10 MR. DOMER: We are going to be
11 here, we will speak one way or
12 another about that.

13 MS. HARPER: But I mean I made
14 the request, it's fine. If you
15 need a formal request or you need
16 something or you want to deny it
17 outright, that's fine too. That's
18 your prerogative.

19 MR. FILIPOVIC: No, we're
20 happy to provide them as long as
21 we're not extending, again, any
22 deadlines that are currently --
23 that we're under. Only because,
24 you know, you have seen the

1 originals -- or the copies that
2 were verified and you haven't made
3 the request that you're making now
4 within the discovery deadline. But
5 other than that...

6 MS. HARPER: I didn't see
7 tape. I didn't know there was tape
8 on them. That's why I'm looking.

9 MR. DUNNE: Did Barry testify
10 that he removed the tape? I don't
11 want to put words in your mouth.

12 MR. FILIPOVIC: Yes, he did
13 before he give them to you.

14 However, you were privy to
15 discuss the matter with your
16 client. They could have told you
17 about how they put notices on the
18 door.

19 MS. HARPER: Well, I'm not
20 going to tell you what my client
21 has told me, so...

22 MR. FILIPOVIC: Right.
23 Because I mean it comes back to the
24 fact they are your clients.

1 MS. HARPER: It's fine. It's
2 not a big deal to me. It's your
3 burden of proof.

4 So if you don't want us to see
5 it, fine, we can wait until trial.

6 MR. FILIPOVIC: That's fine.
7 I just don't want to move any
8 deadlines, that's all.

9 We're off the record then.

10 - - -

11 (Witness excused.)

12 - - -

13 (Deposition concluded at 11:30
14 a.m.)

15 - - -

C E R T I F I C A T E

I do hereby certify that I am a Notary Public in good standing, that the aforesaid testimony was taken before me, pursuant to notice, at the time and place indicated; that said deponent was by me duly sworn to tell the truth, the whole truth, and nothing but the truth; that the testimony of said deponent was correctly recorded in machine shorthand by me and thereafter transcribed under my supervision with computer-aided transcription; that the deposition is a true and correct record of the testimony given by the witness; and that I am neither of counsel nor kin to any party in said action, nor interested in the outcome thereof.

WITNESS my hand and official seal this 27th day of December, 2019.

Michelle A. Landman

Notary Public

Barrington Whyte

December 12, 2019

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| | | | | | | | |
|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|-----------------------|
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STREHLOW & ASSOCIATES, INC.

(215) 504-4622

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UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
CASE NO. 18-13098-MDC

LYNDEL TOPPIN,

Debtor/Plaintiff,

vs.

JEWELL WILLIAMS and
ABDELDAYEM HASSAN
a/k/a ABDELDYEM
HASSAN,

Defendants.

* * * *

WEDNESDAY, NOVEMBER 6, 2019

* * * *

Oral deposition of ABDELDAYEM HASSAN,
taken pursuant to notice, was held at the
Dunne Law offices, P.C., 1515 Market Street,
Suite 1200, Philadelphia, Pennsylvania,
commencing at 11:00 a.m., on the above date,
before Lori A. Porto, a Certified Court
Reporter.

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1 W I T N E S S I N D E X

2

3 Examination of Mr. Hassan

4

5 By Mr. Filipovic: Pages 7, 73, 80

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7 By Ms. Harper: Page 63

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9 By Mr. Offen: Pages 74, 86

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3 Exhibit F: Civil Cover Sheet with Attachments

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6 Exhibit B: Handwritten Note

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10 Exhibit G: Return of Service/Affidavit with
11 Attachments

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15 Exhibit J: Praecipe for Writ of Possession

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19 Exhibit K: Contact Details

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23 Exhibit Q: Certificate of Notice

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27 Exhibit 1: Photocopy of Notice to Vacate

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31 Exhibit 2: Photocopy of Notice to Vacate

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35 Exhibit S: Ring Central Call Details

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(EXHIBITS ARE ATTACHED
TO THE TRANSCRIPT)

1 D E P O S I T I O N S U P P O R T

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3 (REQUEST)52

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1 (Abdeldayem Hassan, having been duly sworn, was
2 examined and testified as follows:)

3 (EXAMINATION OF MR. HASSAN BY MR. FILIPOVIC:)

4 Q. Good morning, Mr. Hassan.

5 Can I call you Mr. Hassan?

6 A. Yes.

7 Q. I am going to give you some instructions
8 on how these depositions are conducted.

9 I will be asking some questions of you
10 and I will, you know, try to be punctual and I will
11 try to speak loudly, so you can understand and hear.

12 If you do not understand or hear me,
13 you can ask me to repeat the question, and I will be
14 glad to do so. However, you may not talk to your
15 attorney when there is a pending question. You may
16 ask to take a break and, at that point, you can talk
17 to your attorney, but not about the subject matter of
18 the testimony.

19 Next, I'm here to ask questions.
20 Unfortunately, today, you can't ask me questions. It
21 is just a one-way street, this way.

22 If at any point, you know, you are to
23 provide an answer, you have to do it verbally, you
24 can't use gestures.

25 While I can understand your gestures

1 and I can see you, because we don't have a video
2 here, the court reporter needs your answers to be
3 vocal.

4 A. What do you mean by vocal?

5 I don't understand.

6 Q. Vocal means by words.

7 A. Okay.

8 Q. I will also ask you some questions that,
9 perhaps, you know, may be insulting to you, but they
10 are asked of any deponent, everybody gets asked these
11 questions, and that is whether you are under any
12 drugs or alcohol today that would cause you not to be
13 able to give truthful testimony.

14 A. No.

15 Q. Thank you.

16 So we can proceed?

17 A. Yes.

18 Q. Could you please tell me your first and
19 last name, sir?

20 A. Abdeldayem Hassan.

21 Q. Mr. Hassan, what is your address?

22 A. 309 Barker Avenue, Lansdowne,
23 Pennsylvania 19050.

24 Q. How long have you lived at that address,
25 sir?

1 A. Like 10 to 12 years.

2 Q. And do you own that house?

3 A. Yes.

4 Q. Who do you live there with?

5 A. My wife and my kids.

6 Q. What is your wife's name?

7 A. Michelle Hassan.

8 Q. Is that Michelle?

9 A. Michelle.

10 Q. What is your occupation currently?

11 A. I work at Boston Market.

12 Q. What is your job at Boston Market?

13 A. Delivery, wash dishes, mop inside the

14 restaurant.

15 Q. Which location?

16 A. 39th and Chestnut, Philadelphia.

17 3901 Chestnut.

18 Q. I happen to know exactly where it is.

19 Is that a full-time position?

20 A. Yeah.

21 Q. Do you do anything else besides that?

22 A. No.

23 Q. Sir, are you familiar with a property at

24 146 South 62nd Street?

25 A. Yes.

1 Q. And what is your familiarity with that
2 property?

3 A. Say that again, please.

4 Q. What do you know about that property?

5 A. That property, I bought it from the
6 sheriff.

7 Q. When did you buy it from the sheriff?

8 A. I think in November of 2017, or October,
9 I'm not sure.

10 November or October.

11 Q. You said you bought it.

12 Was it at a sheriff's sale that you
13 bought it?

14 A. Yeah.

15 Q. What was the price that you ended up
16 paying?

17 What was the winning bid?

18 A. 30,000, 3-0.

19 Q. 30,000 dollars?

20 A. Yes.

21 Q. Did you pay 30,000 dollars to the
22 sheriff's office?

23 A. Yes.

24 Q. You had 30 days to pay it, is that
25 correct?

1 A. I paid like 3,000 the day of the sale
2 and I had one month to pay 27.

3 Q. They told you at the sheriff's sale to
4 bring 27?

5 A. Yes.

6 Q. Where did you take your 27,000 dollars?

7 A. 100 South Broad.

8 Q. Do you recall, when you went there with
9 the money, what did they tell you?

10 A. What does that mean?

11 Q. You went to the sheriff's office with
12 your 27,000 dollars and what did you do when you got
13 there?

14 A. They asked me to bring a cashier's
15 check, I went there, they got the money, and they
16 gave me the receipt.

17 Q. They is who? The sheriff's office?

18 A. Yes, 100 South Broad.

19 Q. Now, when you walked in, did you go left
20 or right to do your transaction?

21 A. I went there, I found the front desk in
22 front of me, they told me to go to the window on the
23 left.

24 Q. On the left, okay.

25 What else did they tell you with

1 respect to the house that you bought, this property?

2 A. Nothing.

3 Q. So, they took the money, you gave them
4 the money?

5 A. Yes.

6 Q. Who is the -- you said it was a
7 cashier's check?

8 A. Yes.

9 Q. Who was it made out to?

10 A. The city of Philadelphia, sheriff.

11 Q. Did you receive anything besides the
12 receipt?

13 A. No.

14 Q. Did they tell you anything except for
15 thank you for your money?

16 What did they say to you, if you can
17 recall?

18 They meaning the folks behind the
19 window at the sheriff's office.

20 Did you receive any instructions?

21 A. They told me I will get the deed by
22 mail.

23 Q. Deed by mail?

24 A. Uh-huh.

25 Q. Okay.

1 Anything else?

2 A. No.

3 Q. Now, did you, in fact, get the deed by
4 mail?

5 A. What's that?

6 Q. Did you get the deed by mail?

7 A. Yeah.

8 Q. How long after did you receive the deed?

9 A. I think -- I'm not sure exactly of the
10 time, but I got the deed.

11 Q. Was it a month later?

12 A. Yeah, probably a month later.

13 Q. Do you still have this deed?

14 A. Yeah.

15 Q. Before buying this property, did you go
16 to visit the property?

17 A. Before buying it?

18 Q. Yeah.

19 A. No.

20 Q. Only after you bought it?

21 A. No, I just went the day of the sale.

22 I saw the list, they started bidding, I
23 saw the reasonable price, and I bid on it.

24 Q. I understand, but once you bought it --
25 you didn't go before you bought it?

1 A. No.

2 Q. But you went afterwards?

3 A. I went afterwards.

4 Before -- how would I go there?

5 I didn't own the house.

6 Q. And then you did own the house

7 afterwards, so you went there?

8 A. After I bought it, yeah, I went there.

9 Q. That is what I want to ask you about,

10 sir.

11 You went there to do what?

12 A. To see the house.

13 I had bought it.

14 Q. When did you first go there?

15 A. After I got the deed.

16 Q. After you got the deed?

17 A. Yeah.

18 I went there and I tried to knock on

19 the door, but I heard dogs.

20 Q. Is there a yard in front of the house?

21 How do you get in?

22 Is there a porch?

23 Describe it for me.

24 A. I didn't get inside the house ever.

25 Q. I'm asking you, is there a porch, is

1 there a yard, a fence, anything like that, or is it
2 off-street?

3 A. It's off-street.

4 Q. And you go up -- are there stairs?

5 A. Yeah, stairs.

6 Q. You went up the stairs and you knocked
7 on the door?

8 A. Yes, I knocked.

9 Q. And then what happened?

10 A. I heard dogs.

11 Q. Did you say dogs?

12 A. Yeah.

13 The neighbor came out and they told me,
14 these people come -- nobody lives there.

15 Q. The neighbor told you?

16 A. Yes, that someone, every two weeks,
17 three weeks, comes there.

18 Q. How did you know the person was a
19 neighbor?

20 Did they come out of the house?

21 A. They came out of the house next door.

22 Q. Next door?

23 A. Next door.

24 Q. What was the address?

25 A. It would be 144.

1 144, yeah.

2 Q. So a lady came out of the door at 144
3 and said that nobody lived there?

4 A. Nobody lives there, they just come every
5 two or three weeks, and that's all.

6 Q. She said, nobody lives there, but they
7 come every two or three weeks?

8 A. Yeah, someone comes every three or
9 four weeks and opens the door or something like that.

10 Q. Do you know what the lady's name is?

11 A. No.

12 That was the first time I met her.

13 Q. She didn't say her name?

14 A. No, and I didn't ask.

15 I told her, I bought the house, and she
16 said, I'm glad you bought this house, it's an
17 abandoned house, I'm scared, stuff like that.

18 She was happy to see someone get the
19 house.

20 Q. And when did this occur?

21 I know it's after you got the deed, but
22 can you give me the month or date when you went and
23 spoke to this lady?

24 A. After I got the deed, like two or three
25 weeks.

1 Q. I'm asking for a calendar date, year,
2 time.

3 A. Should be January of 2018.

4 Q. Okay.

5 Now, what did you do afterwards?

6 A. After that, I went to the sheriff again,
7 to tell him my situation.

8 I bought the house and I think someone
9 lives there, this is the house, what should I do in
10 that case.

11 Q. So you went to the house after you
12 bought it for the first time?

13 A. Yeah.

14 Q. You knocked, nobody answered, you heard
15 dogs somewhere, right?

16 A. Yes.

17 Q. Then a lady comes out and says to you,
18 nobody lives here, then you go to the sheriff and say
19 to the sheriff, I bought a house, I think somebody
20 lives there?

21 Is that what you are testifying?

22 MR. OFFEN: He already said the
23 neighbor said somebody comes every three or
24 four weeks and -- that is what he said.

25 MR. FILIPOVIC: No, counsel, I

1 understand.

2 My question is, you told the sheriff, I
3 think somebody lives there, right?

4 That is what you testified to?

5 THE WITNESS: (Indicating).

6 MR. FILIPOVIC: Yes?

7 THE WITNESS: I'm saying that because
8 the neighbors told me they come and go.

9 BY MR. FILIPOVIC:

10 Q. I understand.

11 I'm just clarifying the record.

12 So then what happens?

13 A. I went to the sheriff to see how I'm
14 gonna get in my house and they told me I have to --

15 Q. Who told you?

16 The sheriff people?

17 A. The people over there told me I have to
18 go to the --

19 Q. Sir, when you say people over there,
20 tell me exactly which people and where.

21 This is a deposition.

22 I'm sorry, but don't call them "they."

23 The sheriff's office told you?

24 A. Yes.

25 Q. I'm going to ask you again.

1 Who told you what to do when you got
2 there?

3 A. The city people told me I have to do it
4 the right way.

5 Q. What did they say?

6 A. I had to fill out the paperwork.

7 Q. Did you have an attorney at that time?

8 A. No, I didn't have an attorney, I was by
9 myself.

10 Q. They gave you the paperwork?

11 A. They gave me the paperwork, I filled it
12 out.

13 They gave me the paper and I had to
14 mail it the first time and then I mailed the paper
15 the second time, after two weeks, again.

16 I went there again, they gave me the
17 paper again, someone had to hand-deliver it to the
18 people there, occupants.

19 Q. Do you know what the papers were?

20 A. What is it?

21 Q. Do you know what papers they gave you?

22 A. I filled out the paper, my name, who
23 lives there, I don't know the name of who was living
24 there.

25 Q. Do you know what the papers were,

1 though?

2 A. No.

3 Q. I'm going to hand you what --

4 A. All the papers, I gave them to him.

5 I --

6 Q. Sir, there is no question.

7 MR. OFFEN: Let him answer.

8 MR. FILIPOVIC: There was no question
9 posed.

10 MR. OFFEN: He was continuing to answer
11 the question that was answered originally.

12 He was in the middle of answering the
13 question.

14 MR. FILIPOVIC: I asked you, did you
15 know what papers you were filling out.

16 THE WITNESS: Whatever papers they gave
17 me, they had my name, who is living there, I don't
18 know the name, my signature, stuff like that.

19 BY MR. FILIPOVIC:

20 Q. Okay, that's fine.

21 Did you know if that paper had any
22 legal significance, and, if so, what was it?

23 A. If it had legal significance, why didn't
24 the judge give me the house?

25 Q. That was a question you just asked me.

1 Don't ask me questions.

2 A. No, I'm not asking a question.

3 MR. FILIPOVIC: You just did.

4 Can you please read that last thing?

5 (DESIGNATED QUESTION AND ANSWER WERE
6 READ)

7 BY MR. FILIPOVIC:

8 Q. Sir, I'm going to ask you again, did you
9 know what legal significance, if any, the papers that
10 you were filling out from sheriff's office had?

11 A. What do you mean by legal significance?

12 Q. I mean, what did the document represent?
13 What was it actually called?

14 A. I don't know.

15 Q. Okay.

16 That's fair.

17 I'm going to hand you now what we'll
18 mark as --

19 MR. OFFEN: You asked him what it was
20 called, not what it was for.

21 MR. FILIPOVIC: I get to ask what I
22 want to ask.

23 MR. OFFEN: Okay.

24 MR. FILIPOVIC: It is a non-issue, I
25 have the document here.

1 MR. OFFEN: I want to object.

2 The last question you asked, what it
3 was called, you didn't ask what it was for.

4 He's trying to find out -- what is the
5 purpose of the document that had some legal
6 significance is what he was answering.

7 Otherwise, they wouldn't have given it
8 to him.

9 MR. FILIPOVIC: Counsel, you are not
10 here to testify.

11 I understand.

12 The record will speak for itself.

13 He has to answer the questions.

14 You don't get to rephrase his answers.

15 MR. OFFEN: He's answered that
16 question.

17 MR. FILIPOVIC: Are you saying asked
18 and answered?

19 We can put that on the record.

20 MR. OFFEN: I'm not rephrasing his
21 answer.

22 His question was, why would they give
23 it to me if it has no legal significance.

24 He doesn't know what it's called.

25 MR. FILIPOVIC: Is that an objection?

1 MR. OFFEN: It's an objection.

2 The question asked specifically for the
3 title of the document as opposed to what the document
4 does.

5 He said it has legal significance or it
6 wouldn't have been given. Therefore, he answered the
7 question.

8 You asked the question and he answered
9 that they wouldn't have given it to me if there
10 wasn't any significance.

11 MR. FILIPOVIC: I don't understand the
12 point of this, but could we keep this clean?

13 We're building up a record that is
14 unnecessary.

15 I'm going to hand you an exhibit that
16 is going to be called Exhibit F because it's already
17 marked that way.

18 Let the record reflect the document is
19 marked Exhibit F.

20 It's an exhibit to a prior motion filed
21 in this case, a motion for judgment pleadings, and
22 I'm giving it to the witness now.

23 (Exhibit F, Civil Cover Sheet with
24 Attachments, is marked for identification)

25 BY MR. FILIPOVIC:

1 Q. Mr. Hassan, take a look at the document
2 I've just given you.

3 A. Uh-huh.
4 This one (indicating)?

5 Q. Yes.
6 There's more pages to it, sir.
7 Feel free to take a look at it.

8 A. Yes, I filled it out.

9 Q. I'm going to ask you some questions
10 about the document.

11 Is that the document that you were
12 given to fill out?

13 A. Yes.

14 Q. Go to the first one I handed you, which
15 is marked with an F.

16 Now, sir, go to the bottom part of that
17 page.

18 Do you see your name and address and
19 phone number there?

20 A. Yes.

21 Q. Could you read that out loud, please,
22 for the record?

23 A. Abdeldayem Hassan, 484-557-1737.

24 Q. Is that your phone number that you put
25 on there?

1 A. Yes.

2 Q. I'm also going to direct you to the page
3 that says Verification.

4 A. Okay.

5 Q. Did you sign that, sir?

6 A. Yes.

7 Q. That is your signature on the
8 verification page?

9 A. Yes.

10 Q. What does it say, basically?

11 Can you read it for the record, please?

12 A. I hereby verify that the statements set
13 forth in the foregoing compliant are true and correct
14 to the best of my knowledge, information and belief.
15 I understand that these statements are made subject
16 to the penalties of 18 Pa.C.S.4904, relating to
17 unsworn falsification to authorities.

18 Q. So you're basically attesting that
19 everything in your papers is true, right?

20 Is that your understanding of what you
21 signed?

22 A. I didn't understand it, but I signed it.

23 Q. You didn't understand?

24 A. No.

25 Q. So, you signed that, but you didn't

1 understand what it meant?

2 A. I didn't understand what it meant, but I
3 signed it.

4 Q. Can you read it?

5 A. I can read it.

6 Q. Read it again.

7 A. I hereby verify that the statements set
8 forth in the foregoing complaint are true and correct
9 to the best of my knowledge, information and belief.
10 I understand that these statements are made subject
11 to the penalties of 18 Pa.C.S.4904, relating to
12 unsworn falsification to authorities.

13 Q. So your testimony today is you don't
14 know what that means?

15 A. I don't know what that means.

16 Q. Go on to the next page, where it says
17 that you have certified that the property is
18 unoccupied.

19 Can you find that page for me?

20 A. Which one?

21 Q. You just went over it.

22 The page that certifies that the
23 property is unoccupied.

24 A. You're talking about this one
25 (indicating)?

1 Q. Yes.

2 Do you see there, where it says
3 occupied or unoccupied, and you checked off that it's
4 unoccupied?

5 A. No, I don't see it.

6 Q. Can I take a look at that page?

7 This isn't the page.

8 (AT WHICH TIME MR. DUNNE ENTERS THE
9 DEPOSITION ROOM)

10 MR. FILIPOVIC: Off the record.

11 (OFF-THE-RECORD DISCUSSION)

12 BY MR. FILIPOVIC:

13 Q. Isn't it true, sir, that you also drive
14 an Uber or a Lyft?

15 A. Sometimes I do, yeah.

16 Q. Sometimes you do?

17 A. Yeah.

18 Q. Do you recall, when I asked you here
19 earlier, under oath, if you had any other jobs, you
20 said no?

21 A. When I have time, sometimes I do Lyft.

22 Q. Did you forget to mention that earlier?

23 A. Yeah, because I don't do it full-time.

24 You were asking for full-time jobs.

25 Q. No, I didn't.

1 I asked you if you did anything else.

2 A. I misunderstood you.

3 Q. Who is Mubarak?

4 A. My friend.

5 Q. Did you send Mubarak to the property to
6 evict the occupants?

7 And, by occupants, I'm talking about at
8 146 South 62nd Street.

9 A. No.

10 Q. What is your friend's last name?

11 A. Ahmed.

12 Q. What is it?

13 A. Ahmed.

14 Q. Could you spell that, sir?

15 A. A-h-m-e-d.

16 Q. Did you ever have a phone number that is
17 as follows, 610-818-5463?

18 A. I used to have that phone number.

19 Q. And what about 267-670-4481?

20 Is that Mubarak's phone number?

21 A. Mubarak's phone number.

22 Q. Do you know if that is still his phone
23 number?

24 A. Yeah.

25 MR. FILIPOVIC: I'm going to be handing

1 you something that will be marked Exhibit B.

2 The first one was F because it was
3 already marked F, and this one will now be Exhibit B.

4 (Exhibit B, Handwritten Note, is marked
5 for identification)

6 BY MR. FILIPOVIC:

7 Q. Do you see that one-page document that
8 is in front of you?

9 A. Yeah.

10 Q. Could you please read the document?

11 A. I am the owner of the premises located
12 at 146 South 62nd Street, Philadelphia, PA 19139.

13 This is to inform you that you must
14 vacate the premises.

15 If you have any questions, contact me
16 at the number stated below.

17 Q. Have you ever seen that before, sir?

18 A. Yes.

19 Q. Did you write that?

20 A. Yes, in the beginning.

21 Q. Before the deed?

22 A. When we bought the house.

23 I told you, I went there and no one
24 answered at the home, so we did that.

25 Q. What is the date on it?

1 A. I think it is the same day we went to
2 see the house.

3 Q. So it was right after the sheriff's
4 sale?

5 A. Yeah.

6 Q. Do you realize you testified you didn't
7 go there until you got the deed earlier today?

8 A. I just remembered this.

9 Q. Okay, good.

10 So you left that note there?

11 A. Yeah, I left that note there to let them
12 know I bought the house.

13 Q. When you say you left the note there,
14 where exactly did you leave it?

15 A. At the door.

16 Q. Of 146 South 62nd Street?

17 A. Yes.

18 Q. Did you knock on the door at that time?

19 A. Yes, I knocked and no one came out.

20 Q. Were there any dogs?

21 A. I don't know.

22 Q. Did anybody ever call you in reference
23 to that note?

24 A. I think one lady called Mubarak, not me.

25 Q. Do you know exactly what day the sheriff

1 acknowledged the deed in your name?

2 A. Yeah, I think November.

3 Q. November of 2017?

4 A. I'm not sure exactly what date, but I
5 can check the deed.

6 Q. You know it was in 2017, though, right?

7 A. It should be 2017, yeah.

8 Q. Do you know when the sheriff recorded
9 the deed in your name?

10 MS. HARPER: Objection to form.

11 BY MR. FILIPOVIC:

12 Q. Did the sheriff ever record a deed in
13 your name?

14 A. Yeah.

15 Q. Do you know when?

16 A. I'm not sure of the date.

17 Q. Do you know, sir, the people that were
18 at the house, only if you know, do you know if they
19 have any rights to the house after a sale like that,
20 where you went and bid on the property?

21 Do you know if they have any rights?

22 A. No.

23 Q. You don't know?

24 A. I don't know anything.

25 Q. Did you consult with anybody in this

1 time period about what the law may be in this area?

2 A. No.

3 Q. The people in this house that you
4 thought may have been living there, did anybody ever
5 tell you anything directly?

6 A. Yes.

7 Q. Who told you what directly?

8 A. When we went to give them this paper, we
9 gave them the paper, the guy told me he was going to
10 move by March.

11 The guy with long hair came out and he
12 met me and he said he was moving by March
13 (indicating).

14 Q. Now, when was that conversation?

15 A. I think that was in January.

16 Q. January?

17 A. Yeah.

18 Q. So, January of 2018, you know somebody
19 is living there, right?

20 A. Yeah.

21 Like I told you, the guy.

22 Q. So somebody did come out finally and
23 your testimony is he told you something?

24 A. Yeah.

25 Q. Did you ask him his name?

1 A. No.

2 I may have asked him, but I forget.

3 It's been two years, I don't remember
4 if I asked him.

5 Q. Let's go back to Exhibit F.

6 Let's go back to the phone numbers.

7 You said the 484 number was yours?

8 A. Yes.

9 Q. And you also said the 610 number is
10 yours?

11 A. Yes.

12 Q. So is it fair to say that you had both
13 of these numbers in 2017 and 2018?

14 A. Not 2018, but 2017.

15 In 2018, I had the 484 number.

16 Q. The entire year?

17 A. What does that mean?

18 Q. For the entire year, you had that
19 number?

20 A. Yes.

21 Q. Is it still your number?

22 A. It is still my number.

23 Q. Who is the 610 number provided by?

24 Which company?

25 A. T-Mobile.

1 Q. T-Mobile, 610?

2 A. Yes.

3 Q. And what happened to that number?

4 A. When my wife came from back home, I gave
5 it to her.

6 Q. So it's still on your family plan?

7 A. Yes, my wife has it.

8 Q. And you live with your wife?

9 A. Yes.

10 Q. And you lived with her in 2018 as well?

11 A. Yes.

12 MR. OFFEN: He answered when his wife
13 came from back home.

14 THE WITNESS: She was back home, so,
15 when she came, I gave her that number and I made
16 another number.

17 BY MR. FILIPOVIC:

18 Q. In 2017, you had the 484 number already?

19 A. 2017?

20 Q. Yes.

21 A. 2017, yes.

22 Q. So you just kept the 484 and you
23 relegated the 610 to your wife?

24 A. Yes.

25 Q. But you didn't tell T-Mobile not to bill

1 you, it was still part of your family plan?

2 A. Yes.

3 Q. And it appears on your bill together
4 with the other number?

5 484 and 610 still appear on the same
6 bill, correct?

7 A. There is no bill.

8 Q. It's on the same plan?

9 A. Yeah.

10 Q. And you and your wife use these two
11 numbers still?

12 A. Yes.

13 Q. Let's go to Exhibit G.

14 That has been shared in court and among
15 counsel on a motion for a judgment on the pleadings.

16 Have you seen that before?

17 A. Yes.

18 Q. Did you fill that document out?

19 A. Yes.

20 Q. Is all the information on that document
21 correct?

22 A. Yes.

23 MR. FILIPOVIC: We'll put that in the
24 record as Exhibit G.

25 (Exhibit G, Return of Service/Affidavit

1 with Attachments, is marked for identification)

2 MR. OFFEN: You asked him if he filled
3 it out, you didn't ask him if he signed the document.

4 MR. FILIPOVIC: I am aware of that.

5 Sir, did you sign the document?

6 THE WITNESS: No.

7 BY MR. FILIPOVIC:

8 Q. Who signed it for you?

9 A. Which one are you talking about?

10 Q. Is there a signature on that document?

11 A. Which one?

12 Q. Who is Ahmed Nafie?

13 A. That is the person who handed the paper.

14 Q. But you said you filled it out?

15 A. I said I saw it.

16 I didn't say I filled it out.

17 MR. FILIPOVIC: Off the record.

18 (OFF-THE-RECORD DISCUSSION)

19 THE WITNESS: I didn't fill it out.

20 MR. OFFEN: Can we go off the record?

21 (OFF-THE-RECORD DISCUSSION)

22 BY MR. FILIPOVIC:

23 Q. Sir, did you have an interpreter at the
24 sheriff's office at any point?

25 A. Say that again.

1 Q. Did you have an interpreter with you at
2 the sheriff's sale when you bought the house?

3 A. It is a simple thing.

4 Q. Did you have an interpreter at the
5 sheriff's sale?

6 A. No.

7 Q. When you went to the sheriff's office
8 all the times you went there, did you have an
9 interpreter?

10 MR. HARPER: Objection to form.

11 BY MR. FILIPOVIC:

12 Q. Did you ever bring an interpreter with
13 you to the sheriff's office?

14 A. Sometimes I do.

15 Q. Sometimes you do?

16 A. Yeah.

17 If they need a lot of paperwork, I
18 bring somebody with me to help me with it.

19 Q. Did you bring somebody on any of these
20 occasions in October or November of 2017?

21 A. Yes.

22 Q. Yes, you did?

23 A. What is your question?

24 Q. Did you bring somebody with you?

25 A. Where?

1 Q. To the sheriff's office.

2 A. When I go there?

3 Q. Yes.

4 A. Yes.

5 Q. Who was it?

6 A. Mubarak.

7 Q. Mubarak Ahmed?

8 A. Yes.

9 Q. His English is good?

10 A. Yes.

11 MR. FILIPOVIC: With a request for an
12 interpreter, I don't think we can continue.

13 MR. OFFEN: This is something I knew
14 about at 11:00.

15 MR. FILIPOVIC: We have a request for
16 an interpreter at this juncture in the litigation,
17 after all discovery has been done and half the
18 deposition has gone by, so we can't continue.

19 We're going to have to do what we have
20 to do, which may include filing for extensions.

21 MR. HARPER: The city would not oppose
22 stipulating to an extension as necessary.

23 MR. OFFEN: Whatever extensions are
24 needed, there is no issue.

25 I didn't know about this until last

1 night.

2 MR. FILIPOVIC: Actually, I'm going to
3 take the position at this time that we are going to
4 continue.

5 You can move to strike whatever you
6 feel is necessary.

7 That's going to be our position going
8 forward.

9 We're going to continue talking and
10 your lawyer can intervene if he feels that is
11 appropriate.

12 Now we have --

13 THE WITNESS: Excuse me, that I didn't
14 understand.

15 I see it, but I didn't fill it out
16 (indicating).

17 MR. FILIPOVIC: The record can reflect
18 that you are changing your testimony that you saw
19 this document, but you didn't fill it out.

20 It's filled out by Ahmed Nafie.

21 Mr. Hassan, are you an American
22 citizen?

23 THE WITNESS: Yes.

24 BY MR. FILIPOVIC:

25 Q. You passed the English proficiency exam

1 as part of becoming an American citizen?

2 A. Yeah.

3 They gave me the translation.

4 Q. Translation?

5 A. Yeah.

6 Someone gave it to me, the test, I read
7 it, and, after that, I passed it.

8 Q. What year was that?

9 A. I don't remember.

10 19 --

11 Q. 20 years ago?

12 A. Maybe more.

13 30 years ago.

14 Q. 30 years ago, you passed it, and you've
15 lived in America since that time?

16 A. Yes.

17 MR. FILIPOVIC: Exhibit J.

18 (Exhibit J, Praecipe for Writ of
19 Possession, is marked for identification)

20 BY MR. FILIPOVIC:

21 Q. We'll be handing you this, this is
22 Exhibit J.

23 A. This --

24 Q. I'm just asking you to take a look at
25 it.

1 There is no pending question.

2 Sir, have you seen that document

3 before?

4 A. Yes.

5 Q. Did you file that document?

6 A. Yes.

7 Q. Is that your handwriting on that

8 document?

9 A. Yes.

10 Q. Is everything you wrote on there true

11 and correct?

12 A. What is it?

13 Q. True and correct, everything you wrote

14 on that document, is it true and correct?

15 A. Yes.

16 Q. Let the record reflect -- could you

17 please count the pages of that document?

18 A. Yes.

19 Q. Please count all the pages that you have

20 in your hand.

21 A. Four.

22 Q. Four pages, thank you.

23 Let the record reflect -- is everything

24 true and correct on all four of the pages, sir, that

25 you wrote?

1 A. It's correct.

2 MR. OFFEN: You're asking him if the
3 order is correct that was written?

4 There is an order in there that is not
5 signed by him.

6 BY MR. FILIPOVIC:

7 Q. So you did not actually fill out the
8 documents all yourself?

9 Other than the order --

10 A. This one, you mean?

11 I filled this out (indicating).

12 Q. Can you read the bold letters there?

13 A. Which one?

14 Q. This one right here.

15 Praecipe for Writ of Possession, is
16 that what it reads there?

17 A. Yes.

18 After I got this paper, I went to the
19 house (indicating).

20 Q. But you testified you also went to the
21 house as early as October.

22 A. I would be legal to go there after I got
23 this paper, right?

24 Q. Don't ask me questions.

25 I'm going to tell you one more time.

1 The next exhibit will be Exhibit K.

2 (Exhibit K, Contact Details, is marked for
3 identification)

4 BY MR. FILIPOVIC:

5 Q. Sir, I've handed you a document that has
6 been provided in prior filings to your attorney.

7 Tell me if you know -- first of all, is
8 that your name and address that you see on that
9 document?

10 A. Yes.

11 Q. Is your contact information there
12 correct?

13 A. Uh-huh.

14 Q. Is that yes?

15 A. Yes.

16 MR. FILIPOVIC: Can we take a
17 five-minute break?

18 (BRIEF RECESS)

19 BY MR. FILIPOVIC:

20 Q. Mr. Hassan, in May of 2018, did you
21 receive a letter from the offices of Attorney Dunne?

22 A. About what?

23 Q. Anything.

24 In May of 2018, do you recall a letter
25 from the offices of Attorney Dunne?

1 A. Only one letter I received, but I don't
2 know the date.

3 There was only one letter.

4 Q. So is that a yes to my question then?

5 MR. OFFEN: He said --

6 MR. FILIPOVIC: Counsel, I don't need
7 you to testify.

8 You're not under oath.

9 MR. OFFEN: He said he doesn't know the
10 date.

11 He already answered I don't know the
12 date.

13 MR. FILIPOVIC: Maybe he remembered the
14 date.

15 If you don't know the date, could it
16 have been May of 2018?

17 THE WITNESS: One more time?

18 MR. FILIPOVIC: If you don't know when
19 you received it, could it be that you did, in fact,
20 receive it in May of 2018?

21 MR. OFFEN: He already answered the
22 question.

23 He doesn't know the date.

24 THE WITNESS: I don't know the date.

25 MR. FILIPOVIC: That is not the same

1 question.

2 I want him to tell me -- can you rule
3 out, sir, that you didn't receive a letter in May of
4 2018?

5 THE WITNESS: What do you mean?

6 MR. FILIPOVIC: That means you can tell
7 me with 100-percent surety you didn't get it in May.

8 THE WITNESS: I told you I received
9 only one letter for this house.

10 MR. FILIPOVIC: Thank you.

11 Strike that as unresponsive.

12 That is not what I'm asking.

13 MR. OFFEN: He's answered the question.

14 I object.

15 He answered it several times.

16 He said he doesn't know the date, he
17 doesn't know the date.

18 MR. FILIPOVIC: Fair enough.

19 You don't know the date.

20 Do you know what the letter said?

21 Did you open the letter?

22 THE WITNESS: Actually, I didn't
23 understand.

24 I opened the letter, but I didn't
25 understand.

1 BY MR. FILIPOVIC:

2 Q. You didn't understand?

3 A. No, and I took it to the sheriff's
4 office right away.

5 Q. And you still don't remember when?

6 A. No.

7 Q. Did you have an attorney at this time?

8 A. No.

9 Q. Tell me what you did with the letter at
10 the sheriff's office.

11 A. I went to the sheriff's office, I think
12 I went to the third floor. I went there and they
13 said -- they saw the letter and they told me I had to
14 go to another level. I don't know, maybe the fifth
15 floor. They called someone. They told me, you're
16 not allowed to go there by yourself. They called
17 someone and the lady came out and met me at the fifth
18 floor steps, at the elevator, and she took the letter
19 from me and she read it and she said, okay, we have
20 to stop what we are doing, and she kept the letter.

21 I wish I could give you a date.

22 Q. She told you, we have to stop what we
23 are doing?

24 A. Yes.

25 I already paid them 350 dollars to

1 come.

2 All these papers were filed.

3 They were supposed to come, the police
4 or whatever.

5 They told me I had to bring a tow truck
6 or storage and everything.

7 Q. So now we know the letter was at least
8 after you already filed all these papers?

9 A. Yes.

10 Q. Because you said all these papers were
11 filed?

12 A. Yes.

13 Q. And you were already trying to evict the
14 occupants?

15 A. Yes.

16 I went with the letter, I didn't go by
17 myself.

18 Q. I understand.

19 Please answer my question.

20 You went with the letter after you
21 finished all this paperwork?

22 A. The letter came to me after I did all
23 this (indicating).

24 Q. So now we're getting the time a little
25 better.

1 It was after January 22nd, 2018,
2 obviously, which is when you filed this, right?

3 A. I don't know.

4 You can calculate the date.

5 Q. You're telling me you got the letter
6 after you filed all the paperwork that we just went
7 through?

8 A. Yes.

9 Q. The lady said to you, we have to do
10 what?

11 A. We're supposed to come take them out by
12 police, right?

13 Q. Don't ask me questions.

14 MR. OFFEN: Answer what happened.

15 BY MR. FILIPOVIC:

16 Q. She told you, we have to stop what we're
17 doing?

18 A. Yes.

19 She took the letter and she said, okay,
20 in that case, we're going to stop.

21 Q. Did you sign-in on any sheet when you
22 got to the sheriff's office that day?

23 A. No.

24 Q. You just walked in, you didn't sign
25 anything?

1 A. Nothing.

2 Q. Did they ask you for ID?

3 A. No.

4 At the front desk, yeah, when I
5 entered?

6 Q. Yes.

7 That is what I'm asking.

8 A. They asked for ID.

9 Q. They did?

10 A. Yes.

11 Q. Did you see them write your name down
12 from that ID?

13 A. They looked at the ID and gave it to me
14 back.

15 Q. Now, did you understand anything in that
16 letter when you read it?

17 A. No, I didn't understand anything, so
18 that's why I took it to them.

19 Q. Why would you take it to the sheriff if
20 you didn't understand anything?

21 Are they the translator?

22 A. Because I already talked to them and
23 they were following up on why I got the letter.

24 Q. Well, did you see the property address
25 on the letter?

1 A. Yes.

2 Q. So this property address was on the
3 letter?

4 A. Yes.

5 Q. You understood that part?

6 A. Yes.

7 It was about the house.

8 Q. So you knew it was about the house?

9 A. Yes.

10 Q. So you did understand something?

11 A. I understood it belonged to the house,
12 but I didn't know what they meant.

13 Q. Did you see your name on the letter?

14 Not on the envelope, but on the actual
15 letter.

16 A. Yes.

17 Q. Did you get any phone calls at the 610
18 number from the office of Attorney Dunne?

19 A. No.

20 Q. Did you ever get any phone calls at the
21 484 number from Mr. Dunne?

22 A. No.

23 Q. Sir, you said that you are with
24 T-Mobile, correct?

25 A. Yes.

1 Q. What kind of -- is this a family plan
2 that you and your wife are on, the 610 and the 484
3 numbers?

4 A. Yes.

5 Q. Sir, in connection with this case that
6 we're here for today, did you request your call
7 history for this particular time period?

8 A. One more time?

9 Q. Did you ask T-Mobile to provide you with
10 a history of calls on these two lines from May
11 through July of 2018?

12 Did you do that?

13 A. You want me to --

14 Q. No.

15 I'm asking you, did you do it.

16 A. No, I never did it.

17 Q. Do you know if T-Mobile is able to
18 provide those records of activity to you?

19 A. I don't know.

20 Q. Would you have any objection if we asked
21 you to ask T-Mobile to provide the phone history,
22 calls in and out, text messages, from May until July
23 of 2018?

24 Do you have any objection to that?

25 A. What do you mean?

1 I don't understand that.

2 Q. That means, if we ask your attorney to
3 ask you to ask T-Mobile to give us the calls, all the
4 calls on those two lines, when, what time, what date,
5 from May until July of 2018, will that be okay with
6 you?

7 A. Is it going to cost me money to do that?

8 Q. I don't know.

9 That is between you and your attorney.

10 Not with respect to the money, if those
11 records exist, would you be so kind as to provide it
12 to us?

13 Because we did ask for them.

14 A. I will try.

15 Q. You will try?

16 A. Yes.

17 Q. Okay.

18 I'm also with T-Mobile and I know they
19 can provide years back.

20 A. I never did it before.

21 I never asked them.

22 (REQUEST) MR. FILIPOVIC: I'm going to make a
23 request on the record for the call history and the
24 text message history for numbers 484-557-1737,
25 belonging to Mr. Hassan, as well as 610-818-5463,

1 which may be used by his wife now, counsel.

2 THE WITNESS: One more thing, sorry.

3 I have to ask my wife if she agrees,
4 too, because that is her phone.

5 BY MS. FILIPOVIC:

6 Q. You do whatever you need to do, but I'm
7 going to make that request on the record.

8 So, now, as we sit here today,
9 Mr. Hassan, how many times total did you go to 146
10 South 62nd Street?

11 A. I can say three times.

12 Q. And how many times -- that's that you
13 personally went there, correct?

14 You went there three times on your own
15 or by yourself directly, personally?

16 A. Right.

17 Q. Is that a yes?

18 A. Yes.

19 Q. What about, was there any other time
20 when you sent somebody else there?

21 MR. OFFEN: The violation lawsuit
22 against him by the city.

23 MR. FILIPOVIC: I'm sorry?

24 MR. OFFEN: The city's lawsuit against
25 him, the violation at the property.

1 THE WITNESS: I got a violation from
2 the city of Philadelphia because some trash was in
3 front of the sidewalk and I got a ticket for that.

4 BY MR. FILIPOVIC:

5 Q. Do you know when you got that letter?

6 A. Not exactly.

7 Q. I'm asking you -- so far we've
8 established that you went there in October, right,
9 October 11th, 2017?

10 That was your testimony, is that right?

11 A. Yes.

12 Q. And that wasn't about the ticket and the
13 trash, right?

14 A. I went with the paper.

15 Q. To evict whoever was living there?

16 A. Yes.

17 Q. You went there when you got the deed,
18 after you got the deed.

19 That was your testimony, correct?

20 A. Yes.

21 Q. And that was also to evict people,
22 right?

23 MR. OFFEN: You said he went there on
24 October 11th to evict the people, he went there to
25 look at the property.

1 MR. FILIPOVIC: Counsel, I'm asking him
2 and he's answering questions.

3 The record will say what he said.

4 Again, I don't need you to paraphrase.

5 In fact, it's inappropriate, especially
6 in light of the note.

7 You went there in November of 2017?

8 THE WITNESS: Yes.

9 BY MR. FILIPOVIC:

10 Q. That was not about the ticket the city
11 of Philadelphia left for you?

12 A. No, the first time.

13 Q. What do you mean by the first time?

14 A. To see the house, when I got the deed.

15 Q. October was the first time and then you
16 went again after you got the sheriff's deed, correct?

17 A. Yes.

18 Q. So that is twice?

19 A. Yes.

20 Q. And then you went there in May, correct?

21 A. Yes.

22 In May?

23 Q. Yes, of 2018.

24 A. No, not me, the guy who handled the
25 paper went there.

1 Q. He went to deliver your papers?
2 A. Yes.
3 Q. In May?
4 A. Yes.
5 Q. Did you go there in June?
6 A. No.
7 Q. When did you talk to the person who said
8 I'll be out --
9 When was that conversation?
10 A. That was in January.
11 Q. So you went in January as well?
12 A. Yes.
13 Q. Did you receive a text from 215-551-7109
14 on May 8th, 2018?
15 A. No.
16 Q. Sir, do you have your phone with you
17 now?
18 A. Yes.
19 Q. The 484 phone?
20 A. Yes.
21 Q. Could you please pull it out?
22 Do you have any texts from the number
23 215-551-7109?
24 A. No.
25 Q. Is that the same phone device, I'm not

1 asking about the number, but the device that you had
2 in May of 2018?

3 A. Yes.

4 Q. Did you delete any messages, sir?

5 A. No.

6 What do you mean?

7 Q. Did you delete anything from that phone
8 since May of 2018?

9 A. Sometimes I do delete messages, yes.

10 Q. Could it be that you received the
11 messages, but you deleted them?

12 A. No, I didn't receive it.

13 I make sure, whatever message comes up,
14 I receive it.

15 Q. Did you cause the sheriff to serve a
16 notice to vacate to Lyndel Toppin at 146 South 62nd
17 Street on May 18th, 2018?

18 MR. OFFEN: Objection.

19 He already answered the question.

20 He did the legal process, he followed
21 through.

22 He said he filed the paperwork already.

23 MR. FILIPOVIC: Is that an objection,
24 asked and answered?

25 MR. OFFEN: Yes.

1 MR. FILIPOVIC: Are you going to let
2 him answer the question?

3 MR. OFFEN: No.

4 MR. FILIPOVIC: Are you going to advise
5 him not to answer?

6 MR. OFFEN: He's already answered the
7 question that he did the legal process and he filed
8 the paperwork with the sheriff.

9 He said he filed the paperwork with the
10 sheriff.

11 That's what he said.

12 BY MR. FILIPOVIC:

13 Q. Is that a yes?

14 A. One more time?

15 I don't understand.

16 Q. Did you cause the sheriff to serve the
17 papers at the property?

18 MR. HARPER: Objection to form.

19 MR. OFFEN: Objection.

20 He's answered the question.

21 He went through the documents.

22 THE WITNESS: I already did the
23 paperwork.

24 Whatever they asked of me, I did it.

25 That is all I did.

1 MR. OFFEN: We're not disputing that he
2 did the paperwork.

3 THE WITNESS: I did it on my own.

4 BY MR. FILIPOVIC:

5 Q. Do you know what bankruptcy is?

6 A. No.

7 Q. Did you ever file bankruptcy?

8 A. I don't know what bankruptcy is.

9 How would I file bankruptcy?

10 Q. As we sit here today, do you know what
11 bankruptcy is?

12 A. No.

13 Q. Do you know why we're having this
14 deposition and why Mr. Toppin is proceeding against
15 you?

16 A. I got the house and they tried to get my
17 house back.

18 That is what I'm thinking.

19 I already paid the money.

20 I bought the house, I paid them
21 whatever they asked, so that house is mine, or my
22 money should come back to me.

23 Q. The bankruptcy doesn't concern you, you
24 don't know nothing about it?

25 A. I don't know anything about bankruptcy.

1 MR. FILIPOVIC: This will be Exhibit Q.

2 (Exhibit Q, Certificate of Notice, is
3 marked for identification)

4 MR. OFFEN: That's when you took it to
5 the sheriff.

6 BY MR. FILIPOVIC:

7 Q. The record will reflect I've handed you
8 a document that has been previously identified as
9 Exhibit Q, hence the Q in the upper right corner.

10 Do you see that there is a highlighted
11 portion of the document, sir?

12 A. What is it?

13 Q. It's highlighted with a yellow
14 highlighter.

15 MR. OFFEN: Objection.

16 He already acknowledged he got a notice
17 about the bankruptcy.

18 MR. FILIPOVIC: Sir, this is a
19 different document.

20 I am allowed to ask him questions and
21 you are not allowed to interrupt me.

22 THE WITNESS: I don't know what this
23 is.

24 BY MR. FILIPOVIC:

25 Q. Do you see where there is a yellow

1 highlighted portion at the top?

2 A. Yes.

3 Q. Is that your contact information?

4 A. Yes.

5 Q. Is it correct?

6 A. Yes.

7 Can I ask you what it is?

8 Q. You can ask your attorney later.

9 Sir, I want to ask you this.

10 Has anybody ever tried to kick you out
11 of your house anywhere, here or in another country?

12 A. No.

13 Q. The day that you took the letter to the
14 sheriff's office -- we're trying to figure out when
15 it was because you're telling us that you can't
16 remember.

17 We've established that it was after you
18 filed all the paperwork.

19 So, the sheriff's office was open that
20 day, so it was during the week?

21 A. Yes.

22 Q. Was it morning or afternoon?

23 A. That I went there?

24 Q. Yes.

25 A. I went there like afternoon, like 4:00.

1 Q. But they were still open?

2 A. Yes, they were open.

3 Q. So it was before 4:30?

4 A. Yes.

5 Q. Did you work at Boston Market that day?

6 A. That day was Friday, I went to prayer,
7 so I didn't work on Friday.

8 Q. So it was a Friday?

9 A. Yes.

10 Q. I apologize, I don't mean to sound
11 ignorant, but the prayer goes on every Friday or was
12 it in relation to any particular holiday?

13 A. Every Friday, we go to mosque.

14 You're welcome every Friday, if you
15 want.

16 Q. Thank you.

17 There is one in my neighborhood.

18 Now, when they told you that we have to
19 stop what we're doing at the sheriff's office, did
20 you withdraw any documents that you had filed?

21 Did you go to court after that?

22 A. What court?

23 Q. Court.

24 A. After that, I hired my lawyer.

25 Q. Fair enough.

1 A. I didn't even get my 300 dollars from
2 them.

3 I paid 300 dollars to get the people
4 out and they didn't come and they didn't give me my
5 money.

6 MR. FILIPOVIC: No further questions.

7 I don't know if counsel wants to ask
8 questions.

9 I'll pass the torch to Counsel Harper
10 from the city of Philadelphia's sheriff's office.

11 (EXAMINATION OF MR. HASSAN BY MS. HARPER:)

12 Q. Good afternoon, Mr. Hassan.

13 My name is Megan Harper. I am
14 representing Jewell Williams of the city of
15 Philadelphia in this matter.

16 I have a few follow-up questions for
17 you.

18 I will try to do them in order, but, if
19 I skip around, please let me know if you get lost.

20 Let me know if you don't understand one
21 of my questions and please ask for clarification.

22 How many sheriff's sales had you
23 attended prior to the sheriff sale when you purchased
24 the property that is at issue here, at 146 South 62nd
25 Street?

1 How many sheriff's sales had you
2 attended prior to the sale where you purchased the
3 property that is at issue here?

4 A. How many times I went to sheriff's
5 sales?

6 Q. Yes.

7 A. I went there -- before that, I went like
8 maybe four times.

9 Q. On any of those times, whether it be the
10 day that you purchased the property at issue here or
11 any of the three or four prior times, were you there
12 for the very beginning of the sheriff's sale?

13 A. Always I went down there late, after
14 they started.

15 Q. Do you recall, on any of those occasions
16 when you went to a sheriff's sale, any sort of
17 preliminary statement being made by any
18 representative of the sheriff's office or the city of
19 Philadelphia?

20 A. Say that again, please.

21 Q. You mentioned to me that you generally
22 went late to the sheriff's sales that you attended.

23 I'm asking if you recall, on any of
24 those occasions, anyone from either the sheriff's
25 office or the city of Philadelphia, to your

1 knowledge, making any sort of statement to the folks
2 in the room before the sheriff's sale started.

3 A. When I went there, they already started,
4 the selling started.

5 Q. How did you learn about sheriff's sales
6 before attending?

7 A. I see people buying from sheriff's sale.
8 I know a lot of my friends that buy.

9 Q. On the occasions when you did attend the
10 sheriff's sale, how did you learn it was coming up?

11 How did you know when and where to go
12 to attend the sheriff's sale?

13 A. My friend told me they have a house for
14 sheriff's sale and stuff like that.

15 Q. Is it one friend that, sort of, tells
16 you these things?

17 A. Yes.

18 Q. Who is that?

19 A. Mubarak.

20 Q. Did Mubarak help fund the purchase of
21 146 South 62nd Street?

22 A. He wasn't with me that day.

23 Q. My question is did he help to pay the
24 purchase price for 146 South 62nd Street.

25 A. What is that?

1 Q. Did he help to pay the purchase price?

2 A. You mean did he give me money?

3 Q. Yes.

4 A. He gave me some money.

5 Q. Have you ever looked at the sheriff's
6 website on the computer?

7 A. No.

8 Q. Now, Mr. Ahmed, each time you went to
9 the sheriff's sale, was he with you?

10 A. That day he was not with me.

11 Q. He was not with you when you purchased
12 146 South 62nd Street?

13 A. No.

14 Q. But he has been with you on other
15 occasions?

16 A. Yes.

17 Q. How do you know Mubarak?

18 A. I know him from back home.

19 He is my friend.

20 Q. When you purchased 146 South 62nd
21 Street, did you put the utilities to that property
22 into your name after purchasing it?

23 A. No.

24 Q. You did not put the utilities into your
25 name?

1 A. No.

2 Q. So you did not --

3 A. When I got the bill, they were
4 automatically in my name, only the water bills.

5 Q. When did you start receiving bills for
6 146 South 62nd Street, approximately, can you recall?

7 A. I got the taxes for 2018 and every month
8 I got the water bills.

9 Q. How about gas?

10 A. No gas.

11 Q. How about electric bills, do you get
12 those?

13 A. No.

14 Q. How much is being billed for water since
15 you purchased -- strike that.

16 Since you purchased the property, you're
17 getting monthly bills for water?

18 A. Yes, and I think I got a note last
19 month, they want to shut it down.

20 Q. Do you recall about how much those bills
21 are for each month approximately?

22 A. Altogether, almost 500 or 600,
23 altogether.

24 Q. And that is since --

25 A. Since I bought it.

1 Q. November of 2017?

2 A. Yes, to now, and I did paid the taxes
3 for 2018.

4 Q. I'm trying to further understand the
5 time-line with respect to when you went to the
6 property.

7 It sounds to me, correct me if I'm
8 wrong, as though, in May of 2018, you went to the
9 property and spoke with someone from that house. Is
10 that correct?

11 A. Yes.

12 Q. And this is the gentleman you spoke of?

13 A. Yes.

14 Q. With the long hair?

15 A. Yes.

16 Q. Can you tell me his ethnicity?

17 A. His what?

18 MR. OFFEN: Ethnicity means the color
19 of his skin.

20 THE WITNESS: I think he was black, but
21 I'm not sure.

22 He had long hair.

23 BY MS. HARPER:

24 Q. Did he have an accent?

25 A. I'm not sure, but he braided his hair

1 (indicating).

2 Q. Would you recognize him, do you think,
3 if you saw him today?

4 A. Yes.

5 Q. Was there anything distinguishing about
6 the way he looked?

7 A. What is that?

8 Q. Other than the braids, which seem to
9 stick out in your memory, was there any other
10 distinguishing feature about that gentleman that you
11 recall?

12 A. No.

13 I think he was tall.

14 Q. How about his age, can you give me an
15 estimate of his age?

16 A. His age should be 30s, 40s, something
17 like that.

18 Q. Did the gentleman seem to have any
19 difficulty in communicating with you?

20 A. No.

21 Q. You mentioned, after receiving a letter
22 from Mr. Dunne's office, you went to the sheriff's
23 office?

24 A. Yes.

25 Q. You showed them the letter?

1 A. Yes.

2 Q. They told you, we have to stop what
3 we're doing?

4 A. Yes.

5 Q. What is your understanding of what that
6 meant?

7 A. What is it?

8 Q. What did you understand that to mean
9 when they said that?

10 A. They were supposed to come and get the
11 people and give me the house.

12 Q. Do you recall anything about the person
13 who told you that on that day in terms of appearance,
14 name, anything?

15 MR. OFFEN: Describe the woman.

16 THE WITNESS: I don't know her name,
17 but she was a black lady.

18 She was at the top level.

19 BY MS. HARPER:

20 Q. She was on the fifth floor?

21 A. Fifth floor.

22 Q. Was she in uniform?

23 A. I think she had on black with a white
24 sweater.

25 Q. Did she have a badge, like an emblem, on

1 her clothing anywhere?

2 A. I think the city name or something like
3 that.

4 MR. OFFEN: Can you give her age?

5 THE WITNESS: 40, 39, something like
6 that.

7 BY MS. HARPER:

8 Q. Did she have a name badge on, do you
9 remember?

10 A. No, I don't.

11 Q. Do you remember anything about her name?

12 A. No.

13 MS. HARPER: I am going to circulate
14 something as Exhibit 1.

15 (Exhibit 1, Photocopy of Notice to Vacate,
16 is marked for identification)

17 BY MS. HARPER:

18 Q. Mr. Hassan, you're looking at what I
19 marked as Exhibit 1.

20 Let me know when you've had an
21 opportunity to review it.

22 Have you ever seen a document such as
23 that before?

24 A. No.

25 MS. HARPER: I am going to circulate

1 what I'm marking as Exhibit 2.

2 (Exhibit 2, Photocopy of Notice to Vacate,
3 is marked for identification)

4 BY MS. HARPER:

5 Q. Mr. Hassan, let me know when you've had
6 an opportunity to review what has been marked as
7 Exhibit 2.

8 MR. OFFEN: Have you seen this
9 document?

10 MR. HARPER: I will ask the questions,
11 counsel.

12 THE WITNESS: I think I wrote this.

13 BY MS. HARPER:

14 Q. You had an opportunity to review what
15 has been marked as Exhibit 2.

16 I'll admit that Exhibit 2 presents as
17 one document, but it looks like there are two
18 documents reflected on the page, correct?

19 A. Yes.

20 Q. If you would, please refer to Exhibit 2
21 for me.

22 The top document on that page says
23 what?

24 A. You want me to read this?

25 Q. Just tell me what is underlined there.

1 A. Eviction Notice.

2 Q. Have you ever seen a document such as
3 that before?

4 A. No.

5 Q. Underneath, you recognize, it sounds
6 like, there is some of your handwriting on the
7 document?

8 A. Yes.

9 MR. HARPER: I have no further
10 questions.

11 (EXAMINATION OF MR. HASSAN BY MR. FILIPOVIC:)

12 Q. Just a few follow-ups.

13 You stated that you paid money to get
14 the people evicted.

15 You paid how much? 350 dollars?

16 A. 350 dollars.

17 Q. Did anybody tell you from the sheriff's
18 office that you were going to get that money back?

19 A. Actually, I went down there, but they
20 said I couldn't get a refund.

21 They told me I had to go to City Hall
22 or something like that.

23 Q. What did you tell them when you went for
24 your 350 dollars?

25 What did you tell the sheriff?

1 A. The same day I went there, they told me
2 they were going to stop, they couldn't evict the
3 people, and I said, can I get my money back.

4 Q. You asked that of the lady?

5 A. Yes.

6 Q. You asked her to get your money back?

7 A. Yes.

8 Q. And she said no?

9 A. She said no.

10 MR. FILIPOVIC: Fair enough.

11 No further questions.

12 (EXAMINATION OF MR. HASSAN BY MR. OFFEN:)

13 Q. Mr. Hassan, you believe you bought this
14 property legally at sheriff's sale?

15 A. Yes.

16 Q. And you believe you paid off the
17 property with the sheriff's office?

18 A. Yes.

19 Q. And you believe that they had given you
20 a deed?

21 A. Yes.

22 Q. Which made you the owner of the
23 property?

24 A. Yes.

25 Q. You said you had gone -- you went to the

1 sheriff's office with the deed.

2 Did you say you asked them what do you
3 do now?

4 A. Come again?

5 Q. You said there was someone in the
6 property and you went to the sheriff's office?

7 A. Yes.

8 Q. What did you ask them?

9 A. What was the next step I should do.

10 Q. And did they give you some paperwork?

11 A. Yeah.

12 Q. And, that paperwork, they said, would
13 help you -- what did they say to you that paperwork
14 would accomplish?

15 A. They said I had to fill out the
16 paperwork, I had to pay the fees, write a check, they
17 agree to give you the house, the house is yours, and
18 I believe the judge already entered a guarantee for
19 me.

20 Q. You filed that paperwork?

21 A. Yes.

22 Q. Did you ever receive any kind of
23 telephone call from Mr. Dunne's office?

24 A. No.

25 Q. Were you aware of any texts that said

1 anything about bankruptcy?

2 A. No.

3 Q. You said you never spoke to Mr. Dunne at
4 all?

5 A. No.

6 Q. Are you aware Mr. Dunne has a document
7 where it shows he called different numbers and it
8 shows the exact same thing to the second?

9 MR. FILIPOVIC: Objection, leading.

10 THE WITNESS: What is it?

11 BY MR. OFFEN:

12 Q. Are you aware there is a document that
13 Mr. Dunne supplied that showed or purports to show he
14 attempted to call you?

15 A. He said he was going to call me?

16 Q. He had a document which showed,
17 supposedly, that there was an attempt to call you.

18 A. He called me -- he's going to show proof
19 that he called me before?

20 Is that what you're saying?

21 Q. There was a document -- I'll strike the
22 question.

23 Was it ever discussed with you that
24 there was a document which Mr. Dunne had supplied in
25 which he claimed he tried to call you?

1 A. No.

2 MR. FILIPOVIC: Objection to form.

3 BY MR. OFFEN:

4 Q. Do you believe to this date you have
5 done everything in accord with the law as you
6 understood it?

7 A. What is that?

8 Q. Do you believe you did everything
9 correctly?

10 A. Yes.

11 Q. When you got the notice of the
12 bankruptcy, you said you did not get any call?

13 A. I didn't get any call from nobody, I
14 didn't get any text.

15 The only thing I got was a letter and,
16 when I got the letter, I went to the sheriff.

17 That is all I know, nothing else.

18 Q. Do you believe you did anything wrong at
19 all?

20 A. No, I did nothing wrong.

21 They had the house for sale and I
22 bought the house.

23 I don't see anything wrong with that.

24 Q. Did you receive any kind of violation on
25 the property?

1 A. Yes.

2 Q. Did you go to the property to look at
3 the violation?

4 A. Yeah, I just walked around.

5 I didn't go inside, I looked outside,
6 and I saw the trash.

7 I took a picture at that time of the
8 trash.

9 I went to court and they dismissed the
10 ticket for me.

11 Q. Did you get a call from the person
12 living at the property?

13 A. Yes.

14 Q. When did he tell you he was moving out?

15 A. He said he was going to move in March
16 and I have a record.

17 Q. Did anybody order you not to go to the
18 property, any kind of Court order issued against you
19 to stay away from the property at all?

20 A. No.

21 Q. When you received the bankruptcy notice,
22 did you ever go back to doing anything with the
23 property?

24 A. Never.

25 Q. Did you go to the sheriff's office when

1 you received the notice?

2 A. Right away, same day.

3 Q. When you showed it to the sheriff's
4 office, they said you cannot proceed?

5 A. They said I couldn't go on the fifth
6 floor, but they would call someone.

7 Q. What did the woman say to you?

8 A. She looked at the letter and she held it
9 and she said she was going to stop.

10 Q. Did you ever attempt to move forward
11 after that?

12 A. No.

13 Q. You're not aware of any phone call ever
14 to you by anybody that said I'm in bankruptcy or
15 there is a bankruptcy or anything relating to you
16 can't do what you are doing?

17 A. No.

18 Q. To this day, do you believe you've done
19 anything in the slightest bit wrong?

20 A. No, I don't see anything I did wrong.

21 MR. OFFEN: No other questions for
22 right now.

23 MR. FILIPOVIC: Few more questions now
24 from me.

25 THE WITNESS: Okay.

1 (EXAMINATION OF MR. HASSAN BY MR. FILIPOVIC:)

2 Q. You said you went to court with the
3 violation ticket and you fought it and the judge
4 threw it out?

5 A. What do you mean?

6 Q. You challenged the ticket for trash on
7 the property and the judge dismissed the ticket, is
8 that correct?

9 A. Yes.

10 Q. That is in relation to 146 South 62nd
11 Street?

12 A. Yes.

13 Q. Did you have an interpreter with you
14 when you went to court?

15 A. What do you mean, interpreter?

16 Q. Did you go and talk to the judge
17 yourself or did you have an Arabic interpreter that
18 day in court?

19 A. I went by myself.

20 Q. And you spoke by yourself in English?

21 A. I showed him the paper.

22 Q. No interpreter?

23 A. No.

24 Q. You got the ticket dismissed on your
25 own?

1 A. Yes.

2 Q. You said you have a phone call recording
3 that says something like the guy will be moving out
4 in March?

5 A. Yes.

6 Q. Did you share that with your attorney in
7 discovery?

8 A. I showed --

9 MR. OFFEN: He has given it to me, he
10 showed it to me today, he still has it, and we can
11 supply it.

12 BY MR. FILIPOVIC:

13 Q. What was the date of that?

14 A. I don't remember the date.

15 Q. Why don't you take a look right now at
16 your phone and tell me the date since you have it?

17 A. Actually, it's on my friend's phone.

18 Q. Mubarak's phone?

19 A. Yes.

20 It's the date he sent it to me.

21 Q. I'm not asking for that date.

22 I want the date those messages were
23 allegedly --

24 A. February 21st, 2018.

25 Q. Did the person say their name?

1 A. If I listen to the message, I might know
2 their name.

3 MR. FILIPOVIC: We will re-depose him
4 based on that at some point.

5 MR. OFFEN: The message I heard is
6 30 seconds.

7 MR. FILIPOVIC: Counsel, please, don't.

8 MR. OFFEN: No problem.

9 MR. FILIPOVIC: Exhibit S.

10 (Exhibit S, Ring Central Call Details, is
11 marked for identification)

12 BY MR. FILIPOVIC:

13 Q. I'm showing a document that has been
14 marked Exhibit S, so we'll keep with the same label.

15 Sir, have you had time to review the
16 one-page document?

17 A. What is it?

18 MR. FILIPOVIC: Counsel, could you
19 please hand over the document to the client and could
20 you please remove yourself from the client?

21 I don't know how else to put it.

22 MR. OFFEN: I'm looking -- there is no
23 date on the document, okay, good.

24 BY MR. FILIPOVIC:

25 Q. Mr. Hassan, do you see the 484 phone

1 number and the 610 phone number appear somewhere on
2 that document?

3 A. Yes.

4 Q. Do you see the date that is associated
5 with those two numbers is right alongside it?

6 A. I see the time, I don't see the date.

7 MR. OFFEN: There is no date there.

8 MR. FILIPOVIC: May I see it?

9 I will draw your attention to it.

10 I will direct you to where it says

11 "from,", it's in the middle of the page.

12 Do you see a date there?

13 THE WITNESS: Yes.

14 BY MR. FILIPOVIC:

15 Q. What does it say?

16 A. 6-14-18.

17 Q. Those are your phone numbers and there
18 is something there that shows -- do you see any other
19 phone number besides your phone numbers?

20 A. No.

21 Q. Now, would that document -- does that
22 refresh your recollection that you may have received
23 a phone call or two on those numbers from Mr. Dunne?

24 A. You mean he spoke to me?

25 Q. No.

1 You received a phone call from
2 Mr. Dunne in that time frame?

3 A. I see it here, but I didn't receive it,
4 I didn't talk to him.

5 Q. You didn't talk to him?

6 A. No.

7 Q. But you admit that he called you?

8 A. I see my number here, but I didn't speak
9 to him.

10 Q. Do you remember seeing his phone number
11 on your phone?

12 A. No.

13 Q. What about the other phone, did your
14 wife ever --

15 A. No.

16 Q. Tell me -- can you read the field here
17 where it says "Result?"

18 A. I can't see it.

19 Q. Put your glasses on, sir.

20 A. I still can't see it.

21 Call connected.

22 Q. How long is the duration?

23 A. One minute, 57 seconds.

24 Q. Thank you, sir.

25 What about the second call?

1 There's two of them.

2 A. Call connected, 1:56.

3 Q. Does that mean anything to you, call
4 connected?

5 Doesn't that mean you answered it?

6 A. Sometimes my kids are playing with it.

7 Maybe one of the times they called,
8 they answered it.

9 When I go home, they take my phone and
10 they play with it.

11 I didn't get it and I didn't speak to
12 him.

13 Ask him if he spoke to me.

14 Q. Sir, how old are your kids?

15 A. I have five kids.

16 The oldest is 13 and the youngest is
17 one year.

18 I have three years, six years --

19 Q. Are any of them in school?

20 A. Yes, six years is in first grade.

21 Q. How many are younger than six?

22 A. Three.

23 Q. Do you and your wife let the kids play
24 with your phones at the same time?

25 A. Yes, because they're crying.

1 Q. Is your phone locked?

2 A. What do you mean?

3 Q. If you lost it, could anybody get in
4 your phone, or is there a password?

5 A. They know my password, it's easy.

6 Q. Do your kids know what bankruptcy is,
7 sir?

8 A. No.

9 MR. FILIPOVIC: I think we're done with
10 the questions.

11 MR. OFFEN: I'm going to continue.

12 THE WITNESS: Okay.

13 (EXAMINATION OF MR. HASSAN BY MR. OFFEN:)

14 Q. This document that is marked Exhibit S,
15 it's says call connected.

16 Did you ever speak to Mr. Dunne at all?

17 A. No.

18 Q. Do you see where it says one minute and
19 57 seconds?

20 A. Yes.

21 Q. Do you see where it says one minute and
22 56 seconds --

23 A. Yes.

24 Q. Apparently it's saying -- could someone
25 be connected or could someone try to leave a message

1 and speak the exact same length each time to the
2 second?

3 MR. FILIPOVIC: Objection to the form.

4 BY MR. OFFEN:

5 Q. Do you see where it says one minute and
6 57 seconds?

7 A. Yes.

8 Q. Which Mr. Dunne claims over his computer
9 he tried to call?

10 Do you see where he claims he spent
11 one minute and 56 seconds?

12 A. Yes.

13 Q. Do you realize that 1:57 and 1:56 is one
14 second apart?

15 A. Yes.

16 MR. FILIPOVIC: Objection to form.

17 MR. OFFEN: I want to show for the
18 record --

19 MR. FILIPOVIC: There is a time and
20 place to show your case, but a deposition is not that
21 place.

22 You can ask him a question.

23 BY MR. OFFEN:

24 Q. Do you see his claim that he spoke for a
25 minute and 57 seconds here or did something or left a

1 message?

2 A. He didn't leave any message.

3 Q. Do you see a call for a minute and
4 56 seconds, which it says connected, which means
5 either he left a message or no message was left?

6 MR. FILIPOVIC: Objection as to leading
7 and form.

8 BY MR. OFFEN:

9 Q. Was a message ever left for a minute and
10 56 seconds?

11 A. No.

12 Q. Was there ever a message left in which
13 the call was a minute and 57 seconds?

14 A. No.

15 Q. Did you get any kind of overnight
16 express mail or urgent notice from Mr. Dunne about
17 the bankruptcy?

18 A. No.

19 MR. FILIPOVIC: Objection, asked and
20 answered.

21 MR. OFFEN: At this stage, I have no
22 further questions.

23 (WITNESS EXCUSED)

24 (DEPOSITION CONCLUDED AT 1:11 P.M.)

25

C E R T I F I C A T E

I, Lori A. Porto, a Notary Public and Certified Court Reporter do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place, and on the date hereinbefore set forth, to the best of my ability.

I do further certify that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

Lori A. Porto, CCR
Notary Public, State of New Jersey
Certificate No. XI01577

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| <p>talked 49:22 talking 26:24 28:7 36:9 39:9 tall 69:13 taxes 67:7 68:2 telephone 75:23 tell 8:18 11:9,25 12:14 17:7 18:20 32:5 34:25 42:25 43:7 45:2,6 46:9 68:16 72:25 73:17,23 73:25 78:14 81:16 84:16 telling 48:5 61:15 tells 65:15 terms 70:13 test 40:6 testified 7:2 18:4 30:6 42:20 testify 22:10 44:7 testifying 17:21 testimony 7:18 8:13 26:13 32:23 39:18 54:10,19 89:6 text 51:22 52:24 56:13 77:14 texts 56:22 75:25 thank 8:15 12:15 41:22 45:10 62:16 84:24 thing 21:4 37:3 53:2 76:8 77:15 things 65:16 think 10:8 13:9 17:8,19 18:3 30:1,24 31:2 32:15 38:12 46:11 67:18</p> | <p>68:20 69:2,13 70:23 71:2 72:12 86:9 thinking 59:18 third 46:12 thought 32:4 three 15:17 16:5 16:7,8,24 17:23 53:11,14 64:11 85:18,22 threw 80:4 ticket 54:3,12 55:10 78:10 80:3,6,7,24 time 13:10 16:12 17:2,12 19:7 19:14,15 27:8 27:21 30:18 32:1 39:3 40:15 42:25 44:17 46:7 47:24 51:7,8 52:4 53:19 55:12,13,15 58:14 66:8 78:7 82:15 83:6 84:2 85:24 87:1,19 89:7 time-line 68:5 times 37:8 45:15 53:9,11,12,14 64:4,8,9,11 85:7 title 23:3 today 7:20 8:12 26:13 30:7 51:6 53:8 59:10 69:3 81:10 told 11:3,22 12:21 15:13,15 16:15 18:2,8 18:14,15,17,23 19:1,3 29:23 32:7,9,21,23</p> | <p>45:8 46:13,15 46:22 47:5 48:16 62:18 65:13 70:2,13 73:21 74:1 top 61:1 70:18 72:22 Toppin 1:3 57:16 59:14 torch 63:9 total 53:9 tow 47:5 transaction 11:20 transcript 5:13 89:6 translation 40:3 40:4 translator 49:21 trash 54:2,13 78:6,8 80:6 tried 14:18 59:16 61:10 76:25 87:9 truck 47:5 true 25:13,19 26:8 27:13 41:10,13,14,24 89:6 truthful 8:13 try 7:10,11 52:14,15 63:18 86:25 trying 22:4 47:13 61:14 68:4 twice 55:18 two 15:16 16:5,7 16:24 19:15 33:3 35:10 51:10 52:4 72:17 83:5,23 85:1</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>U 6:1</p> | <p>Uber 27:14 Uh-huh 12:24 24:3 43:13 underlined 72:25 Underneath 73:5 understand 7:11 7:12,25 8:5 13:24 18:1,10 22:11 23:11 25:15,22,23 26:1,2,10 39:14 45:23,25 46:2 47:18 49:15,17,20 50:10 52:1 58:15 63:20 68:4 70:8 understanding 25:20 70:5 understood 50:5 50:11 77:6 Unfortunately 7:20 uniform 70:22 UNITED 1:1 unnecessary 23:14 unoccupied 26:18,23 27:3 27:4 unresponsive 45:11 unsworn 25:17 26:12 upper 60:9 urgent 88:16 use 7:24 35:10 utilities 66:21,24</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>vacate 4:18,21 29:14 57:16 71:15 72:2 verbally 7:23</p> | <p>verification 25:3 25:8 verify 25:12 26:7 video 8:1 violation 53:21 53:25 54:1 77:24 78:3 80:3 visit 13:16 vocal 8:3,4,6 vs 1:5</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>W 3:1 walked 11:19 48:24 78:4 Walnut 2:17 want 14:9 21:22 22:1 45:2 51:13 61:9 62:15 67:19 72:24 81:22 87:17 wants 63:7 wash 9:13 wasn't 23:10 54:12 65:22 water 67:4,8,14 67:17 way 7:21 19:4 23:17 69:6 we'll 21:17 35:23 40:21 82:14 we're 23:13 38:19 39:9 47:24 48:11,16 48:20 51:6 59:1,13 61:14 62:19 70:3 86:9 we've 54:7 61:17 website 66:6 WEDNESDAY 1:12</p> |
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|--|--|--|--|--|

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EATERN DISTRICT OF PENNSYLVANIA

| | | |
|-----------------------------|---|-----------------------------|
| ----- | : | |
| IN RE: | : | Chapter 13 |
| | : | |
| LYNDELL TOPPIN, | : | Bankruptcy No. 18-13098-MDC |
| | : | |
| Debtor | : | |
| ----- | : | |
| ----- | : | |
| | : | |
| LYNDEL TOPPIN, | : | |
| | : | |
| Plaintiff | : | Adv. Pro. No. 18-00137-MDC |
| | : | |
| V. | : | |
| | : | |
| JEWELL WILLIAMS SHERIFF OF | : | |
| THE CITY OF PHILADELPHIA | : | |
| and ABDELDAYEM HASSAN a/k/a | : | |
| | : | |
| Defendant | : | |
| ----- | : | |

ABDELDAYEM HASSAN'S ANSWERS TO REQUEST FOR ADMISSIONS

PLEASE TAKE NOTICE THAT, pursuant to Fed. R. Bankr. P. 7033 and 9014, Fed. R. Civ. P. 33 and Local Bankr. R. 7026-1, defendant Abdeldayem Hassan (herein after, the "Defendant"), hereby submits the following Answers to Request for Admissions of Plaintiff, Lyndel Toppin. These Answers are continuing up to and including the time of the trial.

ANSWERS

1. Admit that You understand the responsibilities of a tax sale purchase in Philadelphia County?

ANSWER: I did not understand all the rules.

2. Admit that an owner of a property in Philadelphia has a 9 month right of redemption under the Philadelphia Tax Act (53 P.S. § 7293) in connection with a property sold at tax sale?

ANSWER: If the owner occupies the property as his primary residence, he may have a claim.

3. Admit that the purchaser at a sheriff's tax sale does not obtain title to the property until the passage of the redemption period?

ANSWER: Not if the owner is not living in this property as his primary residence.

4. Admit that the owner of a property sold at tax sale retains the right of possession during the statutory period?

ANSWER: Not if the owner is not living in this property as his primary residence.

5. Admit that a purchaser of a sheriff's tax sale has no claim to possession or right to ejectment against an owner during the redemption period?

ANSWER: The property appeared vacant and the person that I met said he would be out by March.

6. Admit that executing on a Writ of Possession during the statutory period would be a violation of the owner's property rights under the Philadelphia Tax Act?

ANSWER: Denied.

7. Admit that executing on a Writ of Possession during the statutory period is illegal?

ANSWER: Denied based on the facts.

8. Admit that You acknowledged the deed in your name on November 9, 2017?

ANSWER: I am uncertain of the exact date.

9. Admit that You recorded the deed in your name on November 21, 2017?

ANSWER: I am uncertain of the exact date.

10. Admit that evicting an owner of a property 2 months into the 9 month statutory period is illegal?

ANSWER: Denied. The property appeared vacant and the person living there stated that he would be out of the property by March.

11. Admit that the owner's redemption period and right to possession expired on August 10, 2018?

ANSWER: Denied based on the facts here.

12. Admit that You provided your contact details to the Sheriff as follows:
a) Abdeldayem Hassan
b) 309 Barker Avenue, Lansdowne, PA 19050
c) 484-557-1737

ANSWER: Admitted.

13. Admit Your telephone number was: (484-557-1737) on May 8, 2018?

ANSWER: Admitted.

14. Admit Your telephone number was: (610-818-5463) on May 8, 2018?

ANSWER: Denied.

15. Admit Your telephone number was: (267-670-4481) on October 11, 2017?

ANSWER: Denied.

16. Admit that You received notice of the Lyndel Toppin bankruptcy on May 8, 2018?

ANSWER: Denied.

17. Admit the You received notice of the Lyndel Toppin bankruptcy from the Bankruptcy Noticing Center at the following mailing address: 309 Barker Avenue, Lansdowne, PA 19050?

ANSWER: Admitted.

18. Admit that you received a telephone call at the following

telephone number (484-557-1737) from Stephen Dunne (215-551-7109) notifying You of the Lyndel Toppin bankruptcy on May 8, 2018?

ANSWER: Denied. I never spoke to Mr. Dunne and did not get any Notice of the Bankruptcy from him.

19. Admit that You receive a telephone call at the following telephone number (610-818-5463) from Stephen Dunne (215-551-7109) notifying You of the Lyndel Toppin bankruptcy on May 8, 2018?

ANSWER: Denied.

20. Admit that You [received] a text at the following telephone number (484-557-1737) from Stephen Dunne (215-551-7109) notifying You of the Lyndel Toppin bankruptcy on May 8, 2018?

ANSWER: I am not aware of the same.

21. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S. 62nd Street, Philadelphia, PA 19139 on May 18, 2018?

ANSWER: I filed with the Sheriff for the Writ of Possession.

22. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S. 62nd Street, Philadelphia, PA 19139 on May 24, 2018?.

ANSWER: Denied.

23. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S. 62nd Street, Philadelphia, PA 19139 on May 30, 2018?.

ANSWER: Denied.

24. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S. 62nd Street, Philadelphia, PA 19139 on June 1, 2018?.

ANSWER: Denied.

25. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S. 62nd Street, Philadelphia, PA 19139 on June 5, 2018?.

ANSWER: Denied.

26. Admit that You caused the Sheriff to serve a Notice to Vacate on Lyndel Toppin at 146 S. 62nd Street, Philadelphia, PA 19139 on June 7, 2018?.

ANSWER: Denied.

Date: August 9, 2019

BY: /s/ David M. Offen
David M. Offen, Esquire
Attorney for Defendant
601 Walnut Street
Suite 160 West
Philadelphia, PA 19106
215-625-9600
Fax: 215-625-9734
dmo160west@gmail.com

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EATERN DISTRICT OF PENNSYLVANIA

-----: :
IN RE: : Chapter 13
: :
LYNDELL TOPPIN, : Bankruptcy No. 18-13098-MDC
: :
Debtor :
-----: :
-----: :
LYNDEL TOPPIN, :
: :
Plaintiff : Adv. Pro. No. 18-00137-MDC
: :
V. :
: :
JEWELL WILLIAMS SHERIFF OF :
THE CITY OF PHILADELPHIA :
and ABDELDAYEM HASSAN a/k/a :
: :
Defendant :
-----: :

ABDELDAYEM HASSAN'S FIRST SET OF ANSWERS TO
INTERROGATORIES OF PLAINTIFF LYNDEL TOPPIN

PLEASE TAKE NOTICE THAT, pursuant to Fed. R. Bankr. P. 7033
and 9014, Fed. R. Civ. P. 33 and Local Bankr. R. 7026-1,
defendant Abdeldayem Hassan (herein after, the "Defendant"),
hereby submits the following Answers to Interrogatories of
Plaintiff, Lyndel Toppin. These Interrogatories are continuing up
to and including the time of the trial.

ANSWER TO INTERROGATORIES

1. State your present full name, current address, and who,
if anyone, currently resides with you.

ANSWER: Abdeldayem M. Hassan, 309 Barker Avenue, Lansdowne, PA
19050. My wife and my five children live with me at the address.

2. State all addresses where you lived for the last five (5) years, up to your present address as stated above in your answer to Interrogatory No. 1, with approximate dates of when you resided at those address and who resided there with you, if anyone.

ANSWER: I have not lived anywhere else in the last five years.

3. State your present employer, length of employment and nature of employment.

ANSWER: Boston Market, 11 Years with various job duties.

4. State the number of Sheriff Sale properties that you have purchased in the last 10 years in Philadelphia County and provide their addresses?

ANSWER: I purchased one other property before this but did not proceed and gave up the deposit.

5. Explain your rights and responsibilities after you purchase a property at a Tax Sheriff Sale

ANSWER: I was told the property was vacant, that someone comes every two weeks, and it appeared that no one was living there. I did speak to a person who said he would get his stuff out by March.

6. How long does the owner have to redeem his/her property after a Sheriff Sale?

ANSWER: See Answer to #5 as it appeared as no one was living in the property

7. When did the owner's right to exclusive possession expire after you purchased 146 S. 62nd Street, Philadelphia, 19139.

ANSWER: See Answer to #5 as it appeared as no one was living in the property

8. Why did you file a Complaint in Ejectment on January 22, 2018 if you had no claim to possession during the redemption period?

ANSWER: See Answer to #5 as it appeared as no one was living in the property

9. What is the race; gender; and age of the unknown defendant on the Return of Service/Affidavit in connection with

your Complaint in Ejectment filed January 29, 2018?

ANSWER: Unknown. See Answers #5-8 above.

10. What phone number and address did you list for yourself on the Motion for Writ of Possession?

ANSWER: 484-557-1737

11. Why did you attempt to evict the Owner 2 months into 9 month statutory redemption period?

ANSWER: See Answer to #5 above.

12. Did you receive "any" letters from Dunne Law Offices pertaining to the Toppin bankruptcy?

ANSWER: I got one Notice and when I read the same, I gave it to the Sheriff's Office. The Sheriff kept the Notice with the Bankruptcy information on it.

13. What is the first notice that you received pertaining to the Toppin bankruptcy?

ANSWER: I gave it to the Sheriff.

14. Do you use the name Mubarak?

ANSWER: No.

15. Does a person by the name of Mubarak work for you?

ANSWER: He is no friend of mine.

16. How many times did you visit 146 S. 62nd Street, Philadelphia, 19139 to ask the occupants to vacate the property between November 2017 and May 2018?

ANSWER: I visited the property and it appeared to be vacant. Someone who was there informed me they needed until March to get out of the property as his friend had stuff there.

17. How many notices did you post or mail to 146 S 62nd Street, Philadelphia, 19139 to ask the occupants to vacate the property between November 2017 and May 2018?

ANSWER: I never sent a Notice to this property, just legal

documents in accordance with the law.

18. Did you provide your phone number - 610-818-5463 to the Sheriff's Office?

ANSWER: When I bought the home I had that number but then I changed the number to 484-557-1737 and the Sheriff was given Notice of the same.

19. Did the Sheriff explain the owner's Right of Redemption to you after a Tax Delinquent Sale?

ANSWER: No.

Date: August 9, 2019

BY: /s/ David M. Offen
David M. Offen, Esquire
Attorney for Defendant
601 Walnut Street
Suite 160 West
Philadelphia, PA 19106
215-625-9600
Fax: 215-625-9734
dmo160west@gmail.com

PHILADELPHIA SHERIFF'S OFFICE

DATE: May 12, 1988, Revised August 1, 2014
DIRECTIVE: #28
SUBJECT: ENFORCEMENT (STAY ORDER)

I. PURPOSE

The purpose of this Directive is to establish a policy of receiving, recording and the handling of stay order, bankruptcy, petitions and appeals when received by the Sheriff's Office.

II. POLICY

A. Bankruptcy.

1. When received by the Sheriff's Office, all legal action is to stop. Details, numbers and other particulars are to be recorded in division docket and on writ. If there is any question as to the validity, postpone any action. Must check with attorney on writ for Bar Order.

B. Orders and Stays

1. When received by the Sheriff's Office, will stop only the action that the order or stay pertains to. Details, numbers and other particulars are to be recorded in division docket and on writ.

C. Petitions and Appeals

1. When received by the Sheriff's Office, will stop legal action only if so stated in the petition and/or appeal. Details, numbers and other particulars are to be recorded in division docket and on writ.
2. All appeals don't stop action.

D. Property Claim and Exemption Claims

1. When received by the Sheriff's Office, will stop action on a Sheriff's Sale (Personal Property) temporarily, until the Under-Sheriff makes a determination on property claims. Exemption claims will be heard at a hearing. Details, numbers and other particulars are to be recorded in division docket and on writ.

E. Culmination of Stays

1. Bankruptcy Orders, Stays, Petitions and Appeals will be held in abeyance for disposition.
2. Upon receipt of determination, the division supervisor will abandon or continue enforcement, if requested, depending on contents of determination.
3. The time lapse between the filing of the Bankruptcy Order, Stays, Petitions and Appeals when received, and the determination date of the said orders are to be computed and added to the "Life of the Writ. Determination and further sheriff's action is to be recorded in division docket.

III. This Directive supersedes all other Enforcement Division procedures.

IV. This Directive is effective immediately.

BY ORDER OF:

SHERIFF

PHILADELPHIA COURT OF COMMON PLEAS
PETITION/MOTION COVER SHEET

| | |
|---|----------------------|
| FOR COURT RESPONSE DATE | |
| ASSIGNED TO JUDGE: | ANSWER/RESPONSE DATE |
| | APR 25 2018 |
| Do not send Judge courtesy copy of this document or response. Status may be obtained online at http://ccmr.org | |

| |
|---|
| CONTROL NUMBER: |
| 045073 |
| (RESPONDING PARTIES MUST INCLUDE THIS NUMBER ON ALL FILINGS) |

Hassan

Month _____ Term, _____ Year _____

No. 180103400

Name of Filing Party:
Abdelkader Hassan

(Check one) ☒ Plaintiff ☐ Defendant
(Check one) ☒ Movant ☐ Respondent

Has another petition/motion been decided in this case? ☐ Yes ☐ No
Is another petition/motion pending? ☐ Yes ☐ No

If the answer to either question is yes, you must identify the judge(s): ☐ Yes ☐ No

INDICATE NATURE OF DOCUMENT FILED:

☐ Petition (Attach Rule to Show Cause) ☒ Motion
☐ Answer to Petition ☐ Response to Motion

| | |
|--|--|
| TYPE OF PETITION/MOTION (see list on reverse side) | PETITION/MOTION CODE (see list on reverse side) |
| <u>motion for writ of possession</u> | <u>mtwps</u> |

ANSWER/RESPONSE FILED TO (Please insert the title of the corresponding petition/motion to which you are responding):

I. CASE PROGRAM

Is this case in the (answer all questions):

A. COMMERCE PROGRAM

Name of Judicial Team Leader: _____

Applicable Petition/Motion Deadline: _____

Has deadline been previously extended by the Court?

☐ Yes ☐ No

B. DAY FORWARD/MAJOR JURY PROGRAM — Year _____

Name of Judicial Team Leader: _____

Applicable Petition/Motion Deadline: _____

Has deadline been previously extended by the Court?

☐ Yes ☐ No

C. NON JURY PROGRAM

Date Listed: ☒

D. ARBITRATION PROGRAM

Arbitration Date: _____

E. ARBITRATION APPEAL PROGRAM

Date Listed: _____

F. OTHER PROGRAM:

Date Listed: _____

II. PARTIES (required for proof of service)

(Name, address and telephone number of all counsel of record and unrepresented parties. Attach a stamped addressed envelope for each attorney of record and unrepresented party.)

Unknown occupants
146 S. 62 St.
PHILZ. PA 19139

309 BARKER AVE
Lansdowne PA 19050
HASSAN Abdelkader
484 557 1337

III. OTHER

By filing this document and signing below, the moving party certifies that this motion, petition, answer or response along with all documents filed, will be served upon all counsel and unrepresented parties as required by rules of Court (see PA. R.C.P. 206.6, Note to 208.2(a), and 440). Furthermore, moving party verifies that the answers made herein are true and correct and understands that sanctions may be imposed for inaccurate or incomplete answers.

(Attorney Signature) [Signature]

(Date) 4-5-2018

(Print Name) HASSAN ABDELKADER

(Attorney I.D. No.) [ID Number]

The Petition, Motion and Answer or Response, if any, will be forwarded
Answer/Response Date will be granted

Hassan Vs Unknown Occupants-MTWPS

ate. No extension of the



IN THE COURT OF COMMON PLEAS PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL

H25527
Plaintiff/Petitioner

v.

UNKNOWN OCCUPANTS
Defendant/Respondent

Term, 20____

No. 180103400

Control No. **045073**

RULE

AND NOW, this ____ day of _____, _____, upon consideration of the
foregoing Motion/Petition _____

_____, a RULE is hereby entered upon the Respondent to show cause why the relief requested
therein should not be granted.

RULE RETURNABLE on the _____ day of _____, _____, at
_____ a.m./p.m., in Courtroom _____, City Hall, Philadelphia, PA 19107.

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL

Hasan

Plaintiff

v.

unknown couplets

Defendant

Term, 20

No. 18010340

Control No. **045073**

ORDER

AND NOW, this ____ day of _____, _____, upon consideration of the
Motion/Petition _____, and
any response thereto, it is ORDERED and DECREED that said Motion/Petition is _____

BY THE COURT:

J.

C I T Y - 2 7
P . 3

IN THE COURT OF COMMON PLEAS PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL

Hassan

Plaintiff

v.

unknown occupants

Defendant

Term, 20

No. 180103400

045073

Control No. _____

motion for writ of possession

(Please fill in information below)

see attached

IN THE COURT OF COMMON PLEAS PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION – CIVIL

HASSAN : _____ TERM, _____
:
:

Plaintiff(s) :
: No. 80103400
vs. :
:
UNKNOWN OCCUPANTS : **045073**
:

Defendant(s)

MOTION FOR WRIT OF POSSESSION

1. On, 10/5/2017, Plaintiff became the record owner of the property located at 146 S. 62nd STREET, Philadelphia, PA 19139 by virtue of a DEED recorded on 11/21/2017 at Document Identification Number 53294873. A true and correct copy of the DEED is attached hereto as Exhibit "A".
2. Plaintiff commenced this Civil Action in Ejectment by Complaint on 1/22/2018.
3. Service process/Affidavit of Service was made in accordance with PA. R.C.P. and/or Court Order for Alternative Service against the occupants of the Property.

C I T Y - 2 7
P . 5

4. Judgment by Default was entered of record on 4/5/2018

against the occupants of the Property. A true and correct copy of the Plaintiff's Praeceptum to Enter Default Judgment is attached hereto as Exhibit "B" and made a part hereof.

5. With respect to enforcement of judgments in ejectment actions, PA. R.C.P. 3160 provides (in pertinent part) the following: "[a] judgment for possession shall be enforced by a Writ of Possession substantially in the form provided by Rule 3254."

6. The Property continues to be occupied by individuals other than the legal owner, necessitating issuance of a Writ of Possession followed by scheduling of a lock-out.

7. Plaintiff has not permitted or authorized any individual to occupy the Property.

WHEREFORE, the Plaintiff respectfully requests that this Honorable Court enter an Order authorizing the issuance of a Writ of Possession of the real property situated at

146 S. 62nd Street, Philadelphia, PA 19139.

Respectfully submitted,

HASSAN ABDELAY
Print

[Signature]
Sign

Date: 4.5.18

C I T Y - 2 7
P . 6

VERIFICATION

I, HASSAN ABDEL KHEIR, Plaintiff/Defendant, verify that the facts set forth in the foregoing are true and correct to the best of my information, knowledge and belief.

I understand that the statements contained herein are subject to the Penalties of 18 Pa.C.S.A., Section 4904 relating to unsworn falsification to authorities.

HASSAN ABDEL KHEIR
(Print Name)

[Signature]
(Signature)

Date: 4-5-2018

C I T Y - 2 7
P . 7

CERTIFICATION OF SERVICE

I, HASSAN ABDELAL, hereby certify that a true and correct copy of the
foregoing Motion/Petition and accompanying papers, was served on the below listed addresses by First-Class
United States mail, postage pre-paid on _____ (date):

Name: unknown occupants

Address: 146 S. 62nd Street

Address: _____

City, State, Zip Code: Phila. PA 19139

Name: _____

Address: _____

Address: _____

City, State, Zip Code: _____

Name: _____

Address: _____

Address: _____

City, State, Zip Code: _____

Date: 4.5.2018

By: [Signature]

C I T Y - 2 7
P . 8

Recorded in Philadelphia PA Doc Id: 53294873
11/21/2017 05:01 PM Page 1 of 6 Rec Fee: \$252.00

Receipt#: 17-121162

1707-5002

Records Department Doc Code: DS

State RTT: \$343.40 Local RTT: \$1,064.54

Know all Men by these Presents

*THAT I, Jewell Williams, Sheriff of the County of Philadelphia in the Commonwealth of Pennsylvania, for
and in consideration of the sum of THIRTY THOUSAND AND XX / 100 [\$30,000.00] dollars, to me in
hand paid, do hereby grant and convey to ABDELDAYEM HASSAN.*

DESCRIPTION

BRT#: 031193800

Premises Being: 146 S 62ND ST, PHILADELPHIA, PA 19139-2928

SEE ATTACHED LEGAL DESCRIPTION

C I T Y - 2 7

P . 9

The same having been sold, on the 5th day of October Anno Domini Two Thousand Seventeen, after due advertisement, according to the law, under and by virtue of a Writ of Execution/DECREE issued out of the Court of Common Pleas as of April Term, Two Thousand Fifteen Number T0192 as the suit of:

CITY OF PHILADELPHIA

VS.

STANLEY ZALKIN AND ELEANOR ZALKIN

In witness whereof, I have hereunto affixed my signature this 9th day of November Anno Domini Two Thousand Seventeen.

SEALED AND DELIVERED
IN THE PRESENCE OF:

Marilyn R. Franks
Marilyn R. Franks (Nov 10, 2017)

Witness

Jewell Williams, SHERIFF

BY

Richard Tyer
Richard Tyer (Nov 10, 2017)

Witness

Inspector Richard Verrecchio
Inspector Richard Verrecchio (Nov 10, 2017)

Richard Verrecchio, Real Estate Inspector

C I T Y - 2 7
P . 1 0

Commonwealth of Pennsylvania :
County of Philadelphia :

On this, the 09 Nov 2017, before me, the undersigned Officer, personally appeared JEWELL WILLIAMS, BY HIS/HER REAL ESTATE INSPECTOR RICHARD VERRECCHIO, Sheriff of the County of Philadelphia, known to me (or satisfactorily proven) to be the person described in the foregoing Instrument, and acknowledged that he/she executed the same in the capacity therein stated and for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.



Steven J. Wulko
Steven J. Wulko (Nov 30, 2017)

Office of Judicial Records
Steven J. Wulko, Deputy Director

Book No. 1707
Writ No. 5002
Control No. _____

Deed = Poll

Jewell Williams, SHERIFF
TO
ABDELDAYEM HASSAN

CITY OF PHILADELPHIA

VS.

STANLEY ZALKIN AND ELEANOR ZALKIN

Apr. T. 2015

No. T0192

Premises:
146 S 62ND ST
PHILADELPHIA, PA19139-2928

Sheriff of the County of Philadelphia
Captain Richard Verrecchio
Witness
Real Estate/Settlement Dept.
Land Title Building
100 South Broad Street 5th Floor
Philadelphia, PA19110

The Address of the within-named Grantee
309 BARKER AVENUE

LANSDOWNE, PA19050

On behalf of the Grantee

Jewell Williams, SHERIFF

Philadelphia Sheriff Office



pennsylvania
 DEPARTMENT OF REVENUE

Bureau of Individual Taxes
 PO BOX 280603
 Harrisburg, PA 17128-0603

**REALTY TRANSFER TAX
 STATEMENT OF VALUE**

See reverse for instructions.

53294873 Page 4 of 4 **RECORDER'S USE ONLY**

| |
|----------------|
| State Tax Paid |
| Book Number |
| Page Number |
| Date Recorded |

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) the deed is without consideration or by gift, or (3) a tax exemption is claimed. If more space is needed, please attach additional sheets. A Statement of Value (SOV) is not required if the transfer is wholly exempt from tax based on family relationship or public utility easement. However, it is recommended that a SOV accompany all documents filed for recording.

A. CORRESPONDENT - All Inquiries may be directed to the following person:

| | | | |
|--|--|---|--------------------|
| Name Sheriff of the County of Philadelphia | | Telephone Number (215) 686-3530 | |
| Mailing Address Land Title Building 100 South Broad Street 5th Floor | | City Philadelphia | State PA |
| | | ZIP Code 19110 | |

B. TRANSFER DATA

Date of Acceptance of Document

| | | | |
|--|--------------------|--|--------------------|
| Grantor(s)/Lessor(s) Jewell Williams, Sheriff | | Grantee(s)/Lessee(s) ABDELDAYEM HASSAN | |
| Mailing Address Land Title Building 100 South Broad Street 5th Floor | | Mailing Address 309 BARKER AVENUE | |
| City Philadelphia | State PA | ZIP Code 19110 | |
| | | City LANSLOWNE | State PA |
| | | ZIP Code 19050 | |

C. REAL ESTATE LOCATION

| | | | |
|--|-----------------|--|--|
| Street Address 146 S 62ND ST | | City, Township, Borough PHILADELPHIA | |
| County Philadelphia | School District | Tax Parcel Number 031193800 | |

D. VALUATION DATA

Was transaction part of an assignment or relocation? ☐ Y ☐ N

| | | |
|--|---|--|
| 1. Actual Cash Consideration \$30,000.00 | 2. Other Consideration + \$0.00 | 3. Total Consideration = \$30,000.00 |
| 4. County Assessed Value \$34,000.00 | 5. Common Level Ratio Factor x 1.01 | 6. Computed Value = \$34,340.00 |

E. EXEMPTION DATA - Refer to instructions for exemption status.

| | | |
|---------------------------------|---|---|
| 1a. Amount of Exemption Claimed | 1b. Percentage of Grantor's Interest in Real Estate | 1c. Percentage of Grantor's Interest Conveyed |
|---------------------------------|---|---|

2. Check Appropriate Box Below for Exemption Claimed.

- ☐ Will or intestate succession. _____ (Name of Descendant) _____ (Estate File Number)
- ☐ Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer from a trust. Date of transfer into trust _____
 If trust was amended attach a copy of original and amended trust.
- ☐ Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the commonwealth, the U.S. and instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of mortgage and note/assignment.)
- ☐ Corrective or confirmatory deed. (Attach complete copy of the deed to be corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ☐ Other (Please explain exemption claimed.) _____

Under penalties of law or ordinance, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

| | |
|--|---------------------------|
| Signature of Correspondent or Responsible Party Tiffany Harrison | Date 11/09/2017 |
|--|---------------------------|

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH REQUESTED DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.

C I T Y - 2 7

P 1 2

| PHILADELPHIA REAL ESTATE TRANSFER TAX CERTIFICATION | | | | BOOK NO. | PAGE NO. |
|---|--|---|--|---|--------------------|
| DATE RECORDED | | | | CITY TAX PAID | |
| Complete each section and file in duplicate with Recorder of Deeds when (1) the full consideration/value is/ is not set forth in the deed, (2) when the deed is with consideration, or by gift, or (3) a tax exemption is claimed. If more space is needed, attach additional sheet(s). | | | | | |
| A. CORRESPONDENT - All inquiries may be directed to the following person: | | | | | |
| NAME Sheriff of the County of Philadelphia | | | | TELEPHONE NUMBER (215) 686-3530 | |
| STREET ADDRESS Land Title Building 100 South Broad Street 5th Floor | | | | CITY Philadelphia | STATE PA |
| B. TRANSFER DATA | | | | DATE OF ACCEPTANCE OF DOCUMENT: | |
| GRANTOR(S)/LESSOR(S) Jewell Williams, Sheriff | | | | GRANTEE(S)/LESSEE(S) ABDEL DAYEM HASSAN | |
| STREET ADDRESS Land Title Building 100 South Broad Street 5th Floor | | | | STREET ADDRESS 309 BARKER AVENUE | |
| CITY Philadelphia | | | | CITY LANSDOWNE | STATE PA |
| STATE PA | | | | ZIP CODE 19050 | |
| C. PROPERTY LOCATION | | | | | |
| STREET ADDRESS 146 S 62ND ST | | | | CITY, TOWNSHIP, BOROUGH PHILADELPHIA | |
| COUNTY PHILADELPHIA | | SCHOOL DISTRICT | | TAX PARCEL NUMBER 031193800 | |
| D. VALUATION DATA | | | | | |
| 1. ACTUAL CASH CONSIDERATION \$30,000.00 | | 2. OTHER CONSIDERATION + \$0.00 | | 3. TOTAL CONSIDERATION = \$30,000.00 | |
| 4. COUNTY ASSESSED VALUE \$34,000.00 | | 5. COMMON LEVEL RATIO FACTOR x 1.01 | | 6. FAIR MARKET VALUE = \$34,340.00 | |
| E. EXEMPTION DATA | | | | | |
| 1A. AMOUNT OF EXEMPTION | | 1B. PERCENTAGE OF INTEREST CONVEYED | | Transfer Tax: \$1,407.94 | |
| 2. Check Appropriate Box Below for Exemption Claimed | | | | | |
| <input type="checkbox"/> Will or intestate succession _____ <div style="text-align: center; font-size: small;">(NAME OF DECEDENT) (ESTATE FILE NUMBER)</div> | | | | | |
| <input type="checkbox"/> Transfer to Industrial Development Agency. | | | | | |
| <input type="checkbox"/> Transfer to agent or straw party. (Attach copy of agency/straw party agreement). | | | | | |
| <input type="checkbox"/> Transfer between principal and agent. (Attach copy of agency/straw trust agreement). Tax paid prior deed \$ _____ | | | | | |
| <input type="checkbox"/> Transfer to the Commonwealth, the United States, and instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (Attach copy of resolution). | | | | | |
| <input type="checkbox"/> Transfer from mortgagor to a holder of a mortgage in a default. Mortgage Book Number _____, Page Number _____ Mortgagee (grantor) sold property to Mortgagor (grantee) (Attach copy of prior deed). | | | | | |
| <input type="checkbox"/> Corrective deed (Attach copy of the prior deed). | | | | | |
| <input type="checkbox"/> Other (Please explain exemption claimed, if other than listed above.) _____ _____ _____ | | | | | |
| Under penalties of law or ordinance, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete. | | | | | |
| SIGNATURE OF CORRESPONDENT OR RESPONSIBLE PARTY Tiffany Harrison | | | | DATE 11/9/2017 | |

C I T Y - 2 7
P . 1 3

1 17076 - 5002

Legal Description

BRT/OPA #: 031193800

Assessed Legal Description: 139' 3" S OF SANSOM 15' 4" X 94' 5"

Abbreviated Legal Description: 15' 4" X 94' 5-7/8"

Actual Legal Description for Premises:

146 S 62ND ST

ALL THAT CERTAIN lot or piece of ground with the messuage or tenement thereon erected,

SITUATE on the West side of 62nd Street at the distance of 138 feet 3 inches Southward from the South side of Sansom Street.

CONTAINING in front or breadth on 62nd Street 15 feet 4 inches and extending of that width in length or depth Westwardly at right angles with 62nd Street 94 feet 5-7/8 inches to a certain 3 feet wide alley leading Northward and Southward between Sansom Street and Walnut Street.

BEING the same premises which Patricia Roberts Harris, Secretary of Housing and Urban Development, of Washington, D.C. by Deed dated 02/01/1978 and recorded 03/08/1978 at Philadelphia in Deed Book DCC 1603 - 269 granted and conveyed unto Stanley Zalkin and Eleanor, h/w in fee.

C I T Y - 2 7

P . 1 4

Case ID: 1504T0192

PRAECIPE FOR WRIT OF POSSESSION

Commonwealth of Pennsylvania
COUNTY OF PHILADELPHIA

HASSAN
Plaintiff

COURT OF COMMON PLEAS

vs.

Term, 20

NO. 180103400

UNKNOWN OCCUPANTS
Defendant

Praecipe for Writ of Possession

TO THE OFFICE OF JUDICIAL RECORDS:

Issue Writ of Possession in the above matter, for possession of: *(describe property)*

146 S 62nd ST
PHILA PA 190139

[Signature]
Attorney(s) for Plaintiff(s)

2018 MAY -7 PM 4:05
OFFICE OF JUDICIAL RECORDS
FIRST JUDICIAL DISTRICT OF PHILA

Hassan Vs Unknown Occupants-WRPOS

Ejectment Quiet Title



18010340000010

Form C.P. 109

Ejectment
Quiet Title

Commonwealth of Pennsylvania
County of Philadelphia

HASSAN

COURT OF COMMON PLEAS

vs. UNKNOWN
OCCUPANTS

Term, 20

No. 180103400

Writ of Possession

To the Sheriff of Philadelphia County:

(1) To satisfy the judgment for possession in the above matter you are directed to deliver possession of the following described property to:

HASSAN ABDULYEM

(2) To satisfy the costs against

UNKNOWN OCCUPANTS

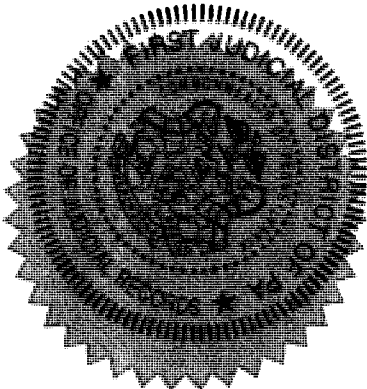
directed to levy upon any property of

you are

146 S. 62nd St
PHILA PA 19139

and sell

interest therein.



ERIC FEDER
Director, Office of Judicial Records

By [Signature]
Clerk

Date May 7, 2018

Court of Common Pleas

_____ Term, 20____

No. 180103400

HASSAN vs. UNKNOWN OCCUPANTS

WRIT OF POSSESSION

CITY - 28
P. 3

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION – CIVIL

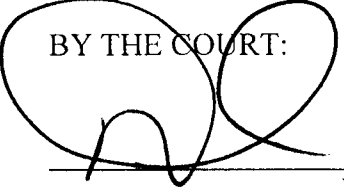
| | | |
|--------------------------|---|----------------------|
| <u>HASAN</u> | : | Case No. 180103400 |
| | : | |
| v. | : | Control No. 18045073 |
| | : | |
| <u>UNKNOWN OCCUPANTS</u> | : | |

ORDER

AND NOW, this 27th day of April, 2018, upon consideration of Plaintiff's Motion for Writ of Possession, it is hereby ORDERED that the Motion is GRANTED.

It is further ORDERED that the Office of Judicial Records for the First Judicial District is directed to issue a Writ of Possession for the real property located at 146 S. 62nd Street, Philadelphia, PA 19139 upon Praecept of Plaintiff.

BY THE COURT:



J.

RECEIVED
APR 30 2018
OFFICE OF JUDICIAL
RECORDS

Hassan Vs Unknown Occup-ORDER



C I T Y - 2 8
P . 4

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
CASE NO. 18-13098-MDC

LYNDEL TOPPIN,

Debtor/Plaintiff,

vs.

JEWELL WILLIAMS and
ABDELDAYEM HASSAN
a/k/a ABDELDYEM
HASSAN,

Defendants.

* * * *

THURSDAY, DECEMBER 12, 2019

* * * *

Oral deposition of LIEUTENANT SEAN
THORNTON, taken pursuant to notice, was
held at the Municipal Services Building,
1401 John F. Kennedy Boulevard, Philadelphia,
Pennsylvania, commencing at 12:00 p.m.,
on the above date, before Lori A. Porto,
a Certified Court Reporter.

KAPLAN, LEAMAN & WOLFE
230 SOUTH BROAD STREET, SUITE 1303
PHILADELPHIA, PENNSYLVANIA 19102
(215) 922-7112
www.klwreporters.com

1 A P P E A R A N C E S:

2

3 DUNNE LAW OFFICES, P.C.
4 BY: STEPHEN M. DUNNE, ESQUIRE
- and
5 PREDRAG FILIPOVIC, ESQUIRE
1515 Market Street
6 Suite 1200
Philadelphia, PA 19109
215.551.7109
7 stephen@dunnelawoffices.com
pfesq@ifight4justice.com
8 Counsel for the Debtor/Plaintiff

9

CITY OF PHILADELPHIA LAW DEPARTMENT
10 BY: MEGAN N. HARPER, DEPUTY CITY SOLICITOR
- and -
11 JOSHUA DOMER, ASSISTANT CITY SOLICITOR
1401 John F. Kennedy Boulevard
12 Room 580
Philadelphia, PA 19102
13 215.686.0503
megan.harper@phila.gov
14 joshua.domer@phila.gov
Counsel for the Defendant
15 Jewell Williams

16

17

18

19

20 A L S O P R E S E N T:

21

22 JETARIA TAYLOR

23

24

25

1 W I T N E S S I N D E X

2

3 Examination of Lieutenant Thornton

4

By Mr. Filipovic: Pages 7, 49

5

6 By Ms. Harper: Pages 48, 57

7

By Mr. Domer: Page 48

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1 E X H I B I T S

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3 Exhibit PS-1: Order dated 9-10-19

4 Page 16

5

6 Exhibit PS-2: Fax Cover Sheet with attachments

7

8 Page 18

9

10 Exhibit PS-3: Notice to Vacate dated 5-8-18

11

12 Page 26

13

14 Exhibit PS-4: Notice to Vacate dated 5-24-18

15

16 Page 32

17

18 Exhibit PS-5: Notice to Vacate dated 5-30-18

19

20 Page 33

21

22 Exhibit PS-6: Eviction Notice dated 6-1-18

23

24 Page 34

25

26 Exhibit PS-7: Eviction Notice dated 6-5-18

27

28 Page 35

29

30 Exhibit PS-8: Eviction Notice and Envelope

31

32 Page 36

33

34 Exhibit PS-9: Handwritten Notes

35

36 Page 37

37

1 E X H I B I T S (Continued)

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3 Exhibit PS-10: Sheriff's Return of Service Sheet

4 Page 43

5

Exhibit PS-11: Service Event Report

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Page 47

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16 (EXHIBITS ARE ATTACHED
TO THE TRANSCRIPT)

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| 1 | D E P O S I T I O N | S U P P O R T | |
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| | (REQUEST) | | 29 |
| 4 | (REQUEST) | | 30 |
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1 (Sean Thornton, having been duly sworn, was examined
2 and testified as follows:)

3 (EXAMINATION OF LT. THORNTON BY MR. FILIPOVIC:)

4 Q. Good afternoon, Lieutenant Thornton.

5 A. Good afternoon.

6 Q. My name is Attorney Predrag Filipovic.

7 I will be conducting this deposition.

8 I'm just going to give you a few
9 general pointers that we are required to provide each
10 time.

11 A. Okay.

12 MR. FILIPOVIC: Counsel, usual
13 stipulations in this one?

14 MS. HARPER: Yes.

15 BY MR. FILIPOVIC:

16 Q. I'll be asking the questions and I'll
17 try to be succinct with my questions.

18 If your attorney has an objection, she
19 will so say for the record.

20 We may discuss the objection and she
21 will instruct you whether or not to answer the
22 question in lieu of the objection.

23 I would ask that your responses be
24 vocal, so that while I can notice your gestures,
25 which we all do in day-to-day conversation, for

1 purposes of today's questioning, I need your answers
2 to be verbal, so the court reporter can jot them down
3 for the record.

4 Is that understood?

5 A. Yes (indicating).

6 Q. I saw you nodding your head.

7 A. Yes.

8 Q. I'll also give you this instruction and
9 it's just going to be a question, but please don't
10 think anything by it. We ask every deponent, every
11 single deponent.

12 Are you under the effects of drugs or
13 alcohol today that would prevent you from providing
14 truthful testimony?

15 A. No.

16 Q. Please state your full name for the
17 record.

18 A. Sean Thornton.

19 Q. What is your occupation, Mr. Thornton?

20 A. Deputy Sheriff Lieutenant with the
21 Philadelphia Sheriff's Office, assigned to the Civil
22 Enforcement Unit.

23 Q. Lieutenant Thornton, how long have you
24 been with the sheriff's office?

25 A. In total, 11 years.

1 Q. Can you describe your duties, your
2 general duties, in your current position?

3 A. Civil Enforcement Unit.

4 We enforce civil complaints, which
5 include writ possessions, whether they are
6 executions, injunctions.

7 Q. Is this the position that you held
8 between April and August of 2018?

9 Is it the same position that you have
10 now?

11 A. No, I was assigned to another unit at
12 that time.

13 Q. Okay.

14 So, at the time that we are here
15 inquiring about, what was your job then?

16 A. I was assigned to the Fugitive Warrant
17 Unit.

18 Q. So, between April and August of 2018,
19 you really had nothing to do with Civil Enforcement,
20 is that correct?

21 A. I was not assigned -- yeah, I was not
22 assigned to Civil Enforcement, that is correct.

23 Q. Do you know who was with the Civil
24 Enforcement Unit at the time?

25 A. Are you --

1 Q. Which deputy or lieutenant?

2 MR. DOMER: Could you clarify what
3 level?

4 MR. FILIPOVIC: Okay.

5 The job that you are doing now for
6 Civil Enforcement, do you know who did that job for
7 Civil Enforcement, that same job, same level, in the
8 time frame that I've specified?

9 THE WITNESS: We had Inspector Monte
10 Guess and Inspector Al Innaurato.

11 I can spell that.

12 It's I-n-n-a-u-r-a-t-o.

13 MR. FILIPOVIC: Just one second.

14 I would like to confer with counsel and
15 step out.

16 Off the record.

17 (OFF-THE-RECORD DISCUSSION)

18 (BRIEF RECESS)

19 BY MR. FILIPOVIC:

20 Q. Lieutenant Thornton, when did you become
21 assigned to the Civil Enforcement Unit?

22 Do you know the exact date?

23 A. January of 2015.

24 Q. January of 2015?

25 A. Correct.

1 Q. So how long were you with the Civil
2 Enforcement Unit prior to getting reassigned to
3 Warrants?

4 A. I was reassigned September -- excuse me,
5 October of 2017, and I returned to the Civil
6 Enforcement Unit in December of 2018.

7 Q. When you returned to the Civil
8 Enforcement Unit in September of 2018, did any
9 policies and procedures change from the time that you
10 would have been there until October of 2017?

11 A. No.

12 Q. Excuse my unfamiliarity with the ranks
13 in your office, but, you're a lieutenant, so is there
14 anybody that you reported to within the Civil
15 Enforcement Unit at the time that you were there
16 higher than you?

17 MS. HARPER: Can you narrow that down,
18 maybe break it down to the time frames --

19 MR. FILIPOVIC: Well, I'm only
20 interested in his time with the Civil Enforcement
21 Unit.

22 So who did you report to?

23 THE WITNESS: At what time?

24 MR. FILIPOVIC: September.

25 THE WITNESS: September of 2018?

1 MR. FILIPOVIC: Yes.

2 THE WITNESS: Inspector Monte Guess.

3 BY MR. FILIPOVIC:

4 Q. Until October of 2017?

5 A. I'm sorry?

6 Q. Until October of 2017, prior to getting
7 reassigned, who did you report to until then?

8 A. Inspector Innaurato.

9 Q. Do you know if Inspector -- do you know
10 when Inspector Monte Guess took over for Inspector
11 Innaurato?

12 A. September of 2018.

13 Q. So the same time you got reassigned?

14 A. Yes.

15 It was simultaneous.

16 Inspector Innaurato retired and
17 Inspector Monte Guess assumed command of the unit.

18 Q. Okay.

19 Sir, in your time with the -- I'm
20 asking about the entire time with the sheriff's
21 office.

22 To your knowledge, do you know what
23 generally happens when the sheriff finds out or gets
24 notice that a debtor has filed for bankruptcy?

25 A. Generally speaking?

1 Q. Yes.

2 A. When we get notice, we cease operations,
3 cease action on any, I guess, complaints or writ
4 possessions or writ executions.

5 Q. Within the sheriff's office, is there
6 any specific phone line or toll-free number or, maybe
7 not a toll-free number, but a number that is
8 designated specifically for debtors to call in and
9 notify the sheriff of, hey, we filed bankruptcy?

10 Is there any such number?

11 A. There are several numbers, but it all
12 depends on what unit -- well, the sheriff's office,
13 we enforce court orders, so a court order could come
14 from different areas of the office, so it all depends
15 on who files the bankruptcy and what unit -- where
16 the enforcement is needed, so -- a general number are
17 you asking?

18 Q. No.

19 I'm asking if there is a specific
20 number that says to the public, hey, if you file
21 bankruptcy and you want to notify the sheriff, this
22 is the number to call.

23 Is there any such number that is only
24 for that?

25 A. Only for that, there is no such number.

1 Q. Okay, that's fine.

2 Do you know -- same question for a fax
3 number, where it says to the public, a fax line that
4 says to the public, hey, if you filed for bankruptcy
5 and you want to notify the sheriff, this is the fax
6 number to send that notice to?

7 A. No.

8 Q. The same question for e-mail address.

9 A. No.

10 Q. Now, you've answered my question about
11 what generally happens, you know, with respect to
12 enforcement efforts once there is a notice of
13 bankruptcy, and thank you for that, but did you
14 receive any training on that from the sheriff's
15 office at any point?

16 A. Training for --

17 Q. Training in regards to how bankruptcy
18 affects actions of the sheriff.

19 A. Yeah.

20 It's actually -- we speak with our
21 superiors and they explain during the training
22 process before you are, sort of, for lack of a better
23 word, on your own to enforce court orders.

24 Q. So it's something that you were trained
25 on as a part of your initial training process?

1 A. Yes.

2 Q. Is there any written material that you
3 were provided, like a PowerPoint to that effect, or
4 anything like that?

5 A. Yes.

6 We do have a training manual, so to
7 speak.

8 Q. And it's in the training manual?

9 A. Yes.

10 (REQUEST) MR. FILIPOVIC: I would like to make a
11 request on the record for production of the said
12 training manual, as it was requested in discovery and
13 we have not received it.

14 That is a household matter between
15 counsel, but nothing to do with your questioning.

16 Thank you.

17 To the best of your recollection, does
18 the training manual say that, once the notice is
19 given to the sheriff of the bankruptcy, you are to
20 cease enforcement of any pending writs, complaints,
21 so forth?

22 THE WITNESS: Yes.

23 BY MR. FILIPOVIC:

24 Q. You said, sir, that your office
25 generally enforces court orders.

1 Do you know -- how many court orders
2 have you seen in your time with the sheriff's office?

3 And, this could be a large number or a
4 small number, but how many actual court orders have
5 you seen with your own eyes, where the judges in
6 Philadelphia have signed an order that directs the
7 sheriff or litigant to do one thing or another?

8 A. A couple hundred.

9 Q. A couple hundred, okay, fair enough.

10 In your experience, from having seen a
11 couple hundred of these, do you know what the court
12 in Philadelphia considers to be a proper fax number
13 for notifying the sheriff of real estate-related
14 executions?

15 A. Can you repeat that?

16 Q. In your experience, having seen a couple
17 hundred of these, do you know, has it come to your
18 attention, what fax number may appear on these court
19 orders as the fax number for judges to rely on for
20 notices to the sheriff's office with respect to real
21 estate-related executions?

22 A. I'm not sure if I understand your
23 question.

24 MR. FILIPOVIC: We will mark this PS-1.

25 (Exhibit PS-1, Order dated 9-10-19, is

1 marked for identification)

2 BY MR. FILIPOVIC:

3 Q. Sir, I'm going to hand you an exhibit
4 that has been marked as PS-1.

5 Sir, what I've given you, does that
6 appear to be a court order?

7 A. Yes.

8 Q. We've had to redact the entire caption,
9 but do you see that that is a Philadelphia Court of
10 Common Pleas Order?

11 A. Yes.

12 Q. Can you read what it says under number 1
13 here for the record?

14 A. The petition to postpone the sheriff's
15 sale of real property is granted, and granted is
16 circled, and the sale is postponed to 10-1-2019.

17 Q. Can you also read what is under prong 2,
18 the next prong?

19 A. A copy of this order shall be served on
20 the sheriff by the petitioner by either faxing it to
21 215-686-3971 or by delivering a copy to the sheriff's
22 office at the Real Estate Division, fifth floor, Land
23 Title Building, 100 South Broad Street, Philadelphia,
24 PA 19110.

25 Q. Thank you, sir.

1 Does this order appear to be signed by
2 the judge below and entered into the docket?

3 A. Yes.

4 Q. Now, going back to the fax number that
5 you read off the order, 215-686-3971, is the judge
6 correct, is that one of the fax numbers in the
7 sheriff's office?

8 A. I'm not sure.

9 I don't know.

10 Q. That's fine.

11 We're done with that exhibit.

12 Sir, I'm going to hand you the next
13 exhibit, we'll call this one -- this one will have
14 three pages.

15 This will be PS-2.

16 (Exhibit PS-2, Fax Cover Sheet with
17 attachments, is marked for identification)

18 MS. HARPER: I would just request that
19 you give him an opportunity to look at the document
20 before asking your questions.

21 MR. FILIPOVIC: Thank you, counsel.

22 Please, absolutely, take your time in
23 looking it over.

24 THE WITNESS: Okay.

25 BY MR. FILIPOVIC:

1 Q. Lieutenant Thornton, you've had a chance
2 to review the document.

3 What does it appear to you to be?

4 A. It is a fax cover sheet -- the cover
5 sheet and the fax of a bankruptcy, notice of a
6 bankruptcy.

7 Q. Does it indicate to you that it was
8 successfully transmitted?

9 A. Yes.

10 Q. And do you see the date of such
11 transmission?

12 A. Yes, I do.

13 Q. What is the date?

14 A. Tuesday, May 8th, 2018.

15 Q. And, sir, do you see the number that it
16 was transmitted to?

17 A. Yes.

18 Q. And what is that number?

19 A. 215-686-3971.

20 Q. Now, let's recall Exhibit PS-1, the
21 prior exhibit.

22 The number I asked you about on that
23 order that you read into the record, these two
24 numbers, do they appear to be the same?

25 A. They do.

1 Q. Thank you.

2 Just to be clear, PS-2, which you are
3 still reading, is a Notice of Bankruptcy pertaining
4 to Lyndel Toppin.

5 Do you see the name Lyndel Toppin?

6 A. Yes, I do.

7 Q. Sir, do you know how many times the
8 sheriff's office attempted to serve a writ of
9 possession or ejectment on the property under
10 book/writ 1707-5002 at 146 South 62nd Street, in
11 Philadelphia, Pennsylvania?

12 A. You said how many?

13 Q. How many times?

14 Do you know if the sheriff's office
15 went out there at all?

16 A. Yes.

17 Q. Let me ask you again.

18 Do you know if the sheriff's office
19 went out to execute on a writ at 146 South 62nd
20 Street in Philadelphia, PA in this case?

21 A. Yes.

22 Q. And do you know how many times the
23 sheriff's office went out there to execute on the
24 writ in total?

25 MS. HARPER: Objection to the form.

1 I think there are two different types
2 of writs or notices.

3 MR. FILIPOVIC: Well, for our purposes,
4 they are indistinguishable.

5 To repeat my question, do you know how
6 many times the sheriff's office went out there to
7 execute on the writ of this property?

8 THE WITNESS: Two times.

9 BY MR. FILIPOVIC:

10 Q. Two times, okay.

11 Can you tell us which dates?

12 A. I do not have the dates.

13 I don't know the dates.

14 Q. May I ask how you know that it was two
15 times if you don't recall the dates?

16 A. That's our policy.

17 Q. The policy is to go out two times?

18 A. Correct.

19 Q. Now, you weren't with the Civil
20 Enforcement Unit at this time, correct?

21 A. At what point?

22 Q. Between May and August of 2018.

23 A. That is correct.

24 Q. Would the person that was in your
25 position at that time have a better recollection of

1 how many times and the dates?

2 A. I can't tell you what a person could
3 remember.

4 I wouldn't know.

5 Q. So you don't have any personal knowledge
6 of serving the writ or being at that property?

7 A. No.

8 Q. Would Monte Guess know?

9 A. I don't know.

10 MR. DOMER: Calls for speculation.

11 BY MR. FILIPOVIC:

12 Q. Who personally goes out to serve these?
13 Is that within the scope of your job
14 now?

15 A. Are we still talking about the same
16 address?

17 Q. We're talking about any address -- we're
18 not talking about the same address.

19 We're now talking generally, if you
20 have an order and a writ for execution on an
21 ejectment, would you personally be out there serving
22 it at this time?

23 A. No.

24 Q. Okay.

25 Who in the Civil Enforcement Unit goes

1 out there?

2 A. We have several deputies that make
3 service throughout the city of Philadelphia.

4 Q. Okay.

5 Do you know which deputy went out to
6 serve this the two times that you say the sheriff's
7 office went out to this property, 146 South 62nd
8 Street?

9 A. Yes, Deputy Taylor.

10 Q. Deputy Taylor both times?

11 A. Yes.

12 Q. Do you believe, sir, that the sheriff's
13 office received notice of Lyndel Toppin's bankruptcy
14 by virtue of the notice that you saw on May 8th,
15 marked as PS-2?

16 Do you believe that the sheriff's
17 office received notice of his bankruptcy on that
18 date?

19 A. On that date, I don't know.

20 Q. Well, what was the date that you -- why
21 don't we recall the exhibit?

22 Why don't you take it back and review
23 it, if you need to?

24 I will ask more questions.

25 A. Which one?

1 Q. PS-2.

2 You said the date was May 8th, correct?

3 A. Okay, yes.

4 Q. And you said there was a notice of
5 bankruptcy and it was filed by Toppin?

6 A. Correct.

7 Q. And we identified that there is a number
8 that appears to be a fax number?

9 A. Right.

10 Q. Do you believe that the sheriff's office
11 did, in fact, receive notice of Mr. Toppin's
12 bankruptcy on May 8th of 2018 based on that document?

13 A. Based on this document, Exhibit 2, yes,
14 I believe so.

15 Q. To your knowledge of the case, do you
16 know if there was compliance with -- strike that.

17 After the notice was received, let's say, as it
18 stands, would that indicate to you, according to the
19 procedure that you've been trained on, that the
20 sheriff's office was to cease execution enforcement
21 against that particular debtor?

22 A. Can you repeat that?

23 I just want to make sure I'm clear.

24 Q. Would it appear to you, based on the
25 training that you testified to earlier, that the

1 sheriff's office should have ceased all efforts to
2 execute on that debtor, Mr. Toppin, who filed
3 bankruptcy and sent notification after May 8th?

4 A. Yes.

5 Q. Is that yes?

6 A. That is yes.

7 Q. As you sit here today, sir,
8 understanding that you weren't with this unit at the
9 time, do you believe that the sheriff's office did
10 comply and did the sheriff's office cease trying to
11 enforce against that particular debtor after May 8th?

12 MS. HARPER: Objection.

13 I think it calls for speculation.

14 MR. FILIPOVIC: I'll just repeat the
15 question and we'll go from there.

16 After May 8th, do you know if the
17 sheriff's office went out there to execute on this
18 writ and to try to evict Mr. Toppin from his
19 property?

20 THE WITNESS: I'm not sure exactly
21 when, if it was after or before.

22 I'm not sure.

23 MR. FILIPOVIC: Counsel, a copy for
24 you, and, sir, this will be PS-3.

25 I will ask you to tell me if you've

1 seen a document like that before.

2 THE WITNESS: Yes.

3 (Exhibit PS-3, Notice to Vacate dated
4 5-8-18, is marked for identification)

5 BY MR. FILIPOVIC:

6 Q. Do you know what it is?

7 A. It is a notice to vacate a property or
8 writ possession of real property from the sheriff's
9 office.

10 Q. Is there a number that identifies it?

11 A. Yes, there's a sheriff's number.

12 Q. What is the number?

13 A. 231566.

14 Q. What does that number represent, the
15 sheriff's number?

16 A. It is a unique number pertaining to the
17 type of enforcement that we must execute on, whether
18 it is a writ of possession, complaint.

19 Anything that comes in our office is
20 identified by a six-digit number.

21 Q. Would it be the same number for each
22 time that you attempt to serve or execute on the
23 particular debtor?

24 A. Yes.

25 Q. The number stays the same?

1 A. Yes.

2 Q. So it can be tied in to a particular
3 debtor --

4 A. Correct.

5 Q. -- whose name is on the writ, right?

6 MR. DOMER: Objection.

7 I think that misstates the testimony
8 that he gave about what the identifier means.

9 If you could --

10 MR. FILIPOVIC: Do you want to have the
11 court reporter read back the prior question and
12 answer?

13 (DESIGNATED QUESTION AND ANSWER ARE
14 READ)

15 MR. FILIPOVIC: What is your objection?

16 I don't know if you are objecting to my
17 question or his answer.

18 I don't see any room for the objection
19 there.

20 MR. DOMER: Fair enough.

21 MS. HARPER: Can I ask, for a point of
22 clarification, going forward, are you using the term
23 debtor to refer to individuals upon whom writs are
24 being served in the context of a general question?

25 I don't think that's -- it's assuming

1 you're serving these on debtors only.

2 MR. FILIPOVIC: Well, not on debtors
3 only, but in this particular --

4 MS. HARPER: I think the term debtors
5 is lacking a bit of clarification because it seems to
6 imply this is the procedure when we are serving on
7 debtors.

8 MR. FILIPOVIC: Counsel, you can hash
9 that out in your redirect.

10 MS. HARPER: That is fine.

11 BY MR. FILIPOVIC:

12 Q. Is there a log or database where these
13 sheriff's numbers are recorded as you embark on the
14 service?

15 A. Yes.

16 Q. Is that being kept within the sheriff's
17 office, that database or log?

18 A. Yes.

19 Q. Is it kept in the regular course of the
20 sheriff's business?

21 A. Yes.

22 Q. And it's part of the sheriff's regular
23 business to keep this log?

24 A. I'm sorry?

25 Q. Is it the sheriff's day-to-day business,

1 one of its operations, to keep this log, keep this
2 database, up-to-date?

3 A. Yes.

4 (REQUEST) MR. FILIPOVIC: Counsel, I want to make
5 a request that this log be produced, this database
6 that contains the number.

7 MS. HARPER: I'm not totally sure we've
8 established that it hasn't.

9 MR. FILIPOVIC: We did ask for it and
10 it has not been produced.

11 MS. HARPER: What are you looking for?

12 MR. DOMER: Which log?

13 MR. FILIPOVIC: We're looking for the
14 log that the deponent testified exists where it is a
15 database that would contain this number identifying
16 the particular debtor and all their attempts to serve
17 on it.

18 That is what we are looking for and
19 we've asked for it.

20 MR. DOMER: I don't know if that is the
21 log he testified to as having existed.

22 MR. FILIPOVIC: He testified, in plain
23 English, that there is a log.

24 He just testified to it.

25 MR. DOMER: It will be addressed on

1 redirect.

2 BY MR. FILIPOVIC:

3 Q. Lieutenant Thornton, let me ask you
4 this.

5 Say you go back to your office and you
6 want to look up something with regard to this Lyndel
7 Toppin person.

8 Can you pull that up on the database
9 that you just mentioned by using this number that you
10 just identified?

11 A. If Lyndel Toppin's name is associated
12 with this number or any number, then, yes, it would
13 be there, if Lyndel Toppin's name comes up.

14 We can look up a person by name or
15 address or this number here (indicating).

16 Q. Okay, great.

17 So, if you were to type in the number
18 there that you see on PS-3, if it's in the database,
19 it would be sufficient to show you everything the
20 sheriff did on that particular number or all the
21 actions of service, at least, trips they made to the
22 property, to the debtor?

23 A. Yes.

24 (REQUEST) MR. FILIPOVIC: That is what we are
25 requesting, on the record, again, that that portion

1 of the database be produced.

2 MS. HARPER: I think we can point to
3 you that it has been produced and we will do that on
4 redirect.

5 BY MR. FILIPOVIC:

6 Q. Sir, I asked you earlier if the sheriff
7 did comply after receiving the notice and did it make
8 anymore trips to the property and you said you
9 weren't sure if it was before or after.

10 Do you recall that?

11 We can read it.

12 A. Are you talking about the May 8th date?

13 Q. Yes.

14 A. I can't remember if it was that day.

15 Q. You can't remember if the sheriff made
16 anymore trips to the property after May 8th, correct?

17 A. Yeah, I'm not sure exactly.

18 Q. Okay.

19 Now, if you were to type in the number
20 we've talked about from PS-3 called the sheriff's
21 number into the database that we mentioned, would you
22 be able to see all the efforts that were made and
23 give us an answer to the question?

24 A. Yes.

25 Q. Thank you.

1 Back to questions on PS-3.

2 Do you see the date in the bottom
3 left-hand corner?

4 A. Yes.

5 Q. What is the date there?

6 A. It says 5-18-18.

7 Q. Is this the notice or a true and correct
8 copy of the notice that the sheriff's department left
9 at Lyndel Toppin's residence, 146 South 62nd Street,
10 on May 18th, 2018?

11 MS. HARPER: Objection to form.

12 MR. FILIPOVIC: You can answer.

13 As long as she doesn't instruct you not
14 to answer, you can answer the question, if you know.

15 THE WITNESS: I don't know what
16 property this is associated with (indicating).

17 BY MR. FILIPOVIC:

18 Q. But, if you were to run the sheriff's
19 number through the database, it would tell you?

20 A. Yes.

21 MR. FILIPOVIC: This will be PS-4.

22 (Exhibit PS-4, Notice to Vacate dated
23 5-24-18, is marked for identification)

24 BY MR. FILIPOVIC:

25 Q. Do you see the document there I just

1 handed you?

2 A. Yes.

3 Q. What does it appear to be?

4 A. It appears to be a duplicate of PS-3.

5 Q. When you say duplicate, is everything
6 exactly the same as PS-3, feel free to compare, or is
7 maybe a date different in the bottom left-hand
8 corner?

9 A. Everything appears the same except the
10 date in the bottom left-hand corner.

11 Q. And the sheriff's number is the same as
12 in PS-3?

13 A. That is correct.

14 MR. FILIPOVIC: PS-5.

15 (Exhibit PS-5, Notice to Vacate dated
16 5-30-18, is marked for identification)

17 BY MR. FILIPOVIC:

18 Q. Same question for PS-5.

19 Is everything the same on the PS-5
20 document?

21 A. Yes, everything is the same except the
22 date.

23 Q. Is that handwritten date there on all
24 these exhibits, PS-3, 4 and 5?

25 A. I believe so, yeah.

1 Q. Do you recognize the handwriting by any
2 chance?

3 A. I do not.

4 MR. FILIPOVIC: PS-6.

5 (Exhibit PS-6, Eviction Notice dated
6 6-1-18, is marked for identification)

7 BY MR. FILIPOVIC:

8 Q. Sir, looking at PS-6, have you seen that
9 document before?

10 A. This particular one (indicating)?

11 Q. Yes.

12 A. Yes.

13 Q. What does that seem to be?

14 Can you describe it for us?

15 A. This is a final eviction notice.

16 Q. For which address?

17 A. Well, it's consistent with sheriff's
18 number 231566 and it looks like 146 South 62nd
19 Street.

20 Q. What is the date on that document?

21 A. The date -- which date?

22 Q. The date that you -- so, in the
23 left-hand corner, the handwritten date, do you see
24 what it is?

25 A. The handwritten date is 6-1-2018.

1 Q. And there is another date from the Court
2 stamped below, correct?

3 A. Yes.

4 Q. The date we are concerned with here
5 appears next to the address, correct, to the left of
6 the address?

7 A. Yes.

8 MR. FILIPOVIC: PS-7.

9 (Exhibit PS-7, Eviction Notice dated
10 6-5-18, is marked for identification)

11 BY MR. FILIPOVIC:

12 Q. Sir, the same line of questioning for
13 that particular document.

14 A. Yes, it's the same as PS-6.

15 It's the same document, but the date is
16 different in the left-hand corner.

17 Q. Same address?

18 A. Yes.

19 Q. What is the date on the latest document?

20 A. 6-5-2018.

21 Q. Now, you said you had seen these
22 documents when I just asked you now.

23 Is this generally what the document
24 looks like that the sheriff's department serves on --

25 A. That is correct.

1 MR. FILIPOVIC: This will be marked
2 next as PS-8.

3 (Exhibit PS-8, Eviction Notice and
4 Envelope, is marked for identification)
5 BY MR. FILIPOVIC:

6 Q. I will hand you another one in this
7 series.

8 That document, can you describe the
9 bottom portion below what appears to be the envelope?

10 Do you see the bottom part of it?

11 A. Yes.

12 Q. Now, could you tell us what that is?

13 Is it the same address, first of all?

14 A. It is the same address as PS-6 and PS-7
15 minus -- I'm sorry.

16 Q. Go ahead.

17 A. It doesn't have the writ itself.

18 Q. What about the sheriff's number?

19 A. It has the same sheriff's number.

20 Q. Same as all the other exhibits?

21 A. That is correct.

22 Q. Is there a date on that one that is
23 handwritten?

24 A. There's two dates that are handwritten
25 on this document.

1 Q. Go ahead and tell us what they are.

2 A. One date says 6-7-2018.

3 Q. And that is on the envelope?

4 A. That is on the envelope.

5 Q. What about the actual document below?

6 A. It has June 25th, 2018.

7 Q. Is that a final eviction notice?

8 A. Yes.

9 MR. FILIPOVIC: PS-9.

10 Counsel, you've been provided this
11 document in discovery.

12 I don't have copies.

13 MR. DOMER: I can make copies.

14 (BRIEF RECESS)

15 (Exhibit PS-9, Handwritten Notes, is
16 marked for identification)

17 BY MR. FILIPOVIC:

18 Q. Before we get into that, do you recall
19 me asking you about a database?

20 A. Yes.

21 Q. Is there a name that you associate with
22 that database?

23 Is that the Jewell system?

24 A. Yes, that is called the Jewell system,
25 that is correct.

1 Q. Going back to PS-9, do you know, this
2 document has been provided by your attorneys or the
3 attorneys for Philadelphia, do you know what this is?

4 A. A copy of the logbook of June 25th.

5 Q. June 25th logbook?

6 A. A page in the logbook dated June 25th.

7 Q. 2018?

8 A. It doesn't have the year.

9 Q. Have you ever seen this before?

10 A. I have not, sir.

11 Q. Do you know who Hassan is?

12 You wouldn't know.

13 June 25th, it says at the top of the
14 page, right?

15 A. That is correct.

16 Q. And then it has 12:00 p.m.

17 That is the first one, Metropolitan
18 Contracting, right?

19 A. Yes.

20 Q. Below that are some other names, but
21 they are earlier, correct?

22 A. Earlier --

23 Q. Earlier than 12:00 p.m.

24 A. That is correct.

25 Q. It appears that they are 9:00 a.m.

1 A. That is correct.

2 Q. And the last one at the bottom is 10:00?

3 A. That is correct.

4 Q. Do you see the date on the left-hand
5 side that starts with 230615?

6 Do you see a date in the left-hand
7 corner, in the margin, to the left?

8 A. I see numbers.

9 I wouldn't know if it is a date or
10 anything.

11 I see numbers.

12 Q. Yes, numbers are what I'm asking for.

13 A. Yes, I do.

14 Q. Do you know what those numbers represent
15 or how they are assigned?

16 A. That is a sheriff's number, unique
17 sheriff's number.

18 Q. So that is the same number that would be
19 on the -- the sheriff's number that was on the
20 exhibits, same type of number?

21 A. Same type of six-digit number that is
22 assigned to a particular case.

23 Q. So, let's scroll down to where you see
24 the address in the middle of the page, 146 South 62nd
25 Street.

1 Do you see that?

2 A. Yes.

3 Q. Could you read that line for us, 231566?

4 A. It says, unknown occupants, it has the
5 address, has the time, 146 South 62nd Street, and
6 then it says bankruptcy filed, then it has a circle
7 next to a name that has Hassan, then it has a phone
8 number, 484-557-1737.

9 Q. Okay.

10 Sir, have you seen, not this particular
11 page, but the visitors log sign-in sheet?

12 Have you seen that --

13 A. Visitors log sign-in sheet?

14 Q. The visitors log.

15 A. I don't understand.

16 Q. The sheriff's office, when people come
17 in for service, do they have to give their ID?

18 A. Yes.

19 Q. And then an employee of the sheriff's
20 office signs -- it's not the actual visitors who
21 write in this book, but the sheriff's person writes
22 in this book, right?

23 A. Yes.

24 Q. And they are supposed to write their
25 name?

1 A. Yes.

2 Q. I'm just wondering if you've ever seen
3 this book where they write these names.

4 A. No, I have not.

5 Q. Is it possible that the close of the day
6 on Friday would be on the same page with the
7 beginning of the day on Monday?

8 MS. HARPER: Objection to form.

9 You can answer.

10 BY MR. FILIPOVIC:

11 Q. In other words, say the last person that
12 came in on Friday was signed in by the sheriff's
13 office and they did their business and they left and
14 now the sheriff's office closed over the weekend,
15 presumably, that unit, and then, when it opens up on
16 Monday, the first visitor comes in on Monday, could
17 it be possible that they would be on the same page in
18 the book?

19 MS. HARPER: Objection to form, calls
20 for speculation.

21 He said he's never seen it.

22 MR. FILIPOVIC: I'm asking him if he
23 thinks it's possible.

24 THE WITNESS: Anything --

25 MR. FILIPOVIC: Let me rephrase it.

1 Other than this June 25th date, how do
2 you know that these people whose names appear here
3 were, in fact, at the sheriff's office on June 25th
4 and any day prior?

5 MS. HARPER: Objection, assumes facts
6 not in evidence.

7 You are assuming this is the logbook of
8 visitors.

9 BY MR. FILIPOVIC:

10 Q. Do you know where this sheet came from?

11 A. This sheet looks similar to how we
12 schedule evictions.

13 Q. Okay, all right.

14 So who do you think wrote this?

15 A. I can't tell.

16 I have no idea.

17 Q. Who schedules evictions?

18 A. I schedule evictions.

19 Q. Okay.

20 So does that mean that Inspector Monte
21 would have been the one to have written a schedule of
22 these evictions given the time period?

23 A. Not necessarily.

24 Q. Could you explain who -- we're looking
25 to identify the person who scheduled the eviction.

1 Could you share any knowledge of that
2 fact?

3 A. I do not know.

4 I can just tell you that, when I
5 returned to the unit, I took on the responsibility of
6 scheduling evictions.

7 Q. Sure.

8 Do you know who had that responsibility
9 prior to your return to the unit?

10 A. I do not recall.

11 Q. Fair enough.

12 Would the scheduling of evictions be
13 logged in the Jewell system as well?

14 A. Yes.

15 MR. FILIPOVIC: PS-10.

16 (Exhibit PS-10, Sheriff's Return of
17 Service Sheet, is marked for identification)

18 BY MR. FILIPOVIC:

19 Q. Sir, I'm going to hand you PS-10.

20 Have you seen a document like that
21 before?

22 Do you know what that is?

23 A. It looks like a sheriff's return of
24 service.

25 Q. Is it signed by anybody at the bottom?

1 A. Yes, the sheriff, Jewell Williams.

2 Q. Anywhere in the document is it indicated
3 that the bankruptcy was filed?

4 A. It says bankruptcy filed in sheriff's
5 office, 5-9-2018.

6 Q. So, it says, 5-9-2018, okay, and it's
7 signed by Jewell Williams.

8 Is it fair to say that Jewell Williams,
9 the sheriff of Philadelphia, according to this
10 document, was aware of bankruptcy being filed in this
11 case even as early as the 9th of May, 2018?

12 MS. HARPER: Objection to form, calls
13 for speculation.

14 MR. FILIPOVIC: Can he answer the
15 question?

16 MS. HARPER: Yes.

17 THE WITNESS: I'm not sure if he was
18 aware of this.

19 BY MR. FILIPOVIC:

20 Q. Going to the date of 5-9-2018, can you
21 read it again for us for the record?

22 A. Bankruptcy filed in sheriff's office.

23 Q. Okay.

24 Look at the top caption of the page,
25 the case number.

1 To your knowledge, is this tied to the
2 property at 146 South 62nd Street that we've been
3 discussing here today?

4 A. I don't know.

5 Q. I'm going to represent to you that it is
6 that case number and the writ number and that the
7 person in question is Lyndel Toppin.

8 MS. HARPER: Objection to form.

9 There is no writ number on this
10 document.

11 MR. FILIPOVIC: The writ number is in
12 the parenthesis below the case number.

13 MS. HARPER: Oh, you mean like the book
14 and writ number?

15 MR. FILIPOVIC: Yes.

16 MS. HARPER: Okay.

17 BY MR. FILIPOVIC:

18 Q. Now, I will represent to you that this
19 case caption and the writ number pertain to the
20 property at 146 South 62nd Street and Lyndel Toppin.

21 Now, having said that, I'm sure your
22 counsel will not object, going back to this line,
23 bankruptcy filed in sheriff's office and signed by
24 Jewell Williams, does that now represent to you, is
25 it fair to say that Jewell Williams was aware that

1 there was a bankruptcy filed by Mr. Toppin as early
2 as the 9th of May, 2018?

3 A. If you are asking me was he aware
4 personally, I don't know, but --

5 Q. When I say personally, I mean the
6 sheriff as in the Office of the Sheriff.

7 A. Well, yes.

8 Q. I should rephrase that.

9 Not personally Mr. Williams, but the
10 sheriff's office that he represents in his capacity
11 as the sheriff.

12 Let's ask that question cleanly now
13 that we got all that out of the way.

14 Is it fair to say, according to this
15 document --

16 MS. HARPER: Objection, asked and
17 answered.

18 MR. FILIPOVIC: Let me ask it.

19 -- that the Philadelphia Sheriff's
20 Office was aware that Mr. Toppin filed for bankruptcy
21 as early as the 9th of May, 2018?

22 MS. HARPER: Objection, assumes facts
23 not in evidence.

24 MR. FILIPOVIC: You can answer.

25 THE WITNESS: Yes.

1 MR. FILIPOVIC: This will be marked as
2 PS-11.

3 (Exhibit PS-11, Service Event Report, is
4 marked for identification)

5 BY MR. FILIPOVIC:

6 Q. I've handed you a document that says
7 Service Event Report and I'm going to ask you, does
8 this document look familiar?

9 Have you seen these types of entries
10 before?

11 A. Yes.

12 Q. What do they represent to you?

13 A. It represents the actions taken
14 according to this particular sheriff's number.

15 Q. What is the action taken here that is
16 described in this document?

17 A. It says that the deputy posted a copy of
18 a writ of possession on the address at 146 South 62nd
19 Street.

20 Q. Was that done on the 10th of May, 2018?

21 A. That is correct.

22 Q. Do you have any reason in the universe
23 to doubt the accuracy of what that represents, that
24 entry?

25 A. I do not.

1 MR. FILIPOVIC: Sir, thank you so much
2 for coming.

3 We have no more questions for you.

4 THE WITNESS: Thank you.

5 (EXAMINATION OF LT. THORNTON BY MS. HARPER:)

6 Q. Lieutenant Thornton, earlier there was
7 some discussion that you were present for regarding a
8 record that is kept of actions taken with respect to
9 the sheriff's numbers we've identified here.

10 Here, we're looking at a sheriff's
11 number on P-11 of 231566.

12 Do you see that in the top left corner?

13 A. Yes.

14 Q. Is this the database of the record you
15 were referring to earlier?

16 A. Yes.

17 MR. DOMER: Could we have a brief
18 moment to consult in case there is anything else we
19 missed?

20 MR. FILIPOVIC: Certainly.

21 (BRIEF RECESS)

22 (EXAMINATION OF LT. THORNTON BY MR. DOMER:)

23 Q. Lieutenant Thornton, referring now back
24 to PS-11, the Service Event Report that we just
25 talked about, just clarify, do you have any personal

1 knowledge about this particular report and when it
2 was entered, how it was entered?

3 Personal knowledge.

4 A. On this date, when it happened?

5 Q. I'm just asking if you know personally
6 about the entry on this Service Event Report.

7 A. No.

8 MR. DOMER: Nothing further.

9 (EXAMINATION OF LT. THORNTON BY MR. FILIPOVIC:)

10 Q. Just a brief follow-up based on what was
11 asked subsequent to my questioning.

12 Sir, you were asked if PS-11 and PS-10
13 were part or documents that would be contained in the
14 Jewell database and you answered affirmatively,
15 right?

16 MS. HARPER: Objection to form.

17 I asked about --

18 MR. DOMER: We asked about it being in
19 the Jewell system.

20 MR. FILIPOVIC: Please reread Counsel
21 Harper's questions.

22 (DESIGNATED QUESTION AND ANSWER ARE
23 READ)

24 BY MR. FILIPOVIC:

25 Q. PS-10 and PS-11, would these be the

1 types of documents that are kept in Jewell, and is
2 this from Jewell, these excerpts, if you will, of the
3 record?

4 A. It is kept in Jewell.

5 Q. So it's kept in the regular course of
6 the sheriff's business, these two documents?

7 A. That is correct.

8 Q. And they are entered and maintained by
9 sheriff's staff?

10 A. Yes.

11 Q. And is it part of the
12 regularly-conducted business activities of the
13 sheriff to create and maintain these types of logs?

14 A. Yes, according to the division.

15 Q. Thank you.

16 The last question, probably the last
17 question, these are only some of the contents of
18 Jewell, but all the attempts or all the actions and
19 attempts to serve and execute on the writ are not
20 anywhere in these two documents, correct?

21 MS. HARPER: Objection.

22 It assumes facts not in evidence.

23 BY MR. FILIPOVIC:

24 Q. Well, do you see on either of these two
25 documents where there is -- I am going to respond to

1 that.

2 This is in evidence.

3 He testified that all the attempts that
4 the sheriff would make would be logged in to Jewell
5 and I'm asking that he confirm that these attempts
6 are not to be found in these two pieces of paper.

7 MS. HARPER: What attempts?

8 MR. FILIPOVIC: The attempts of the
9 sheriff and all the dates that he went out.

10 MS. HARPER: Do you realize that your
11 client admitted to putting those dates on the
12 documents?

13 Again, you're assuming facts in
14 evidence.

15 MR. FILIPOVIC: I'm not going to share
16 my litigation strategy, but maybe because of that we
17 need the record from the sheriff that we now know
18 exists.

19 MS. HARPER: I'm still not sure what is
20 missing.

21 MR. FILIPOVIC: I'm pretty sure it is
22 in plain English.

23 If you type in the number, this
24 database will reveal all the attempts of the sheriff
25 to serve or execute or evict based on that number and

1 it will tie in to the property and Mr. Toppin.

2 That is the part of the record that was
3 not produced and it's very critical evidence,
4 counsel.

5 Sir, one more time, on these two
6 documents that are a part of the Jewell database,
7 PS-10 and PS-11, but for May 10th, they don't show
8 all the times that the sheriff went out to 142 South
9 62nd Street, is that correct?

10 THE WITNESS: Other than May 10th, they
11 do not show.

12 BY MR. FILIPOVIC:

13 Q. Sir, once again, if you go to Jewell and
14 type in the sheriff's identifying number from the
15 prior exhibits, you could get all the times and
16 occurrences when the sheriff went out?

17 A. No, that is not correct.

18 Q. That is not correct?

19 A. No.

20 Q. How would you go about knowing how many
21 times the sheriff went out there?

22 A. You would type in a number, the unique
23 number that we discussed, in this case, the 231566.

24 In this case, there is a writ of
25 possession, that is the category, so we highlight it,

1 we go into the field, and what you would see is this
2 particular date and this drop-down, we put in posted,
3 that is what Deputy Jetaria Taylor posted, this
4 information, where it says posted, and that field
5 would be highlighted.

6 There is a drop-down and you enter the
7 time and date that it actually happened (indicating).

8 Q. Okay.

9 What about, in the category other than
10 writ and possession, we saw an eviction notice, that
11 would be a different drop-down, correct?

12 A. Eviction notice?

13 Q. Right.

14 A. And the actual date?

15 Q. The writ of possession was done on this
16 date, correct, May 10th?

17 A. I'm sorry, repeat that.

18 Q. The writ of possession -- PS-11 pertains
19 to the writ of possession, correct?

20 A. That is correct.

21 Q. Other paper, other than the writ of
22 possession, was discussed here today, correct?

23 A. Yes.

24 Q. And, the exhibits, PS-3 through PS-9,
25 the notices, as it pertains to Exhibits PS-3 through

1 PS-9, would the Jewell system contain an entry where
2 each of those was served and posted?

3 A. No.

4 Q. It would not?

5 A. No.

6 Q. Is there any record within the sheriff's
7 office that you could reference that would contain
8 how many times the sheriff went out to do what they
9 did?

10 A. Other than what is here, on PS-11?

11 Q. Other than what is in the Jewell.

12 A. No, there is no other entry.

13 Q. Every time the sheriff goes out
14 somewhere to serve a writ or whatnot, they are
15 supposed to log it in Jewell, correct?

16 A. Every time they go out?

17 Q. Every time they go out.

18 A. No, that is not true.

19 Q. So the sheriff could have gone out more
20 -- is there ever a time when the sheriff would -- so
21 there are times when the sheriff would go out, but
22 wouldn't note it in Jewell?

23 A. That is correct.

24 Q. But, if it's noted in Jewell that they
25 went out, that means they went out?

1 A. Repeat that.

2 Q. There is no time when the sheriff noted
3 in Jewell to have gone to the property to either
4 serve or evict that they didn't actually do it?

5 Do you follow me?

6 A. No.

7 Q. You told me there could be a time when
8 the sheriff goes out to serve or evict, but it's not
9 noted in the Jewell system, correct?

10 A. You're confusing what you are saying,
11 serve and evict.

12 They are two different actions.

13 Q. I know it is two different actions and
14 that is why I'm listing them differently.

15 A. There is an issue, notice, which is
16 highlighted here, on PS-11.

17 In this case -- this drop-down box
18 gives you different types of actions that the deputy
19 would have done.

20 In this case, the deputy posted it.

21 Had someone answered the door, this
22 field category here would have been different. It
23 would have said served.

24 I'm letting you know there are a lot of
25 different actions.

1 She posted the property, meaning Deputy
2 Taylor, she posted the property on this particular
3 date at this particular time.

4 Now, the next time that an entry would
5 have been made would have been the actual eviction
6 date, where we go out and evict an occupant from the
7 property.

8 Other than that, again, we --

9 Q. I understand that.

10 A. That would be the only entry that would
11 have been made.

12 Q. We're only interested in entries that
13 were made that are associated with each action that
14 the sheriff took under that sheriff's number.

15 A. Okay.

16 Q. And Jewell would have that, correct?

17 A. Yes.

18 Q. An entry for each action the sheriff
19 took on a given sheriff's number?

20 A. Yes, but you also have to understand
21 that we do -- for writ possessions, there are only
22 two attempts or two times you go to the property.

23 Actually, if you include the eviction,
24 it will be three, total.

25 I wasn't clear on that, I apologize.

1 The first time is to give initial
2 notice, the second time is to give the eviction date,
3 and the third time is to do the eviction.

4 The only time -- of those three times
5 there, there would be two entries in the Jewell
6 system, the first initial time to give notice and the
7 actual eviction date.

8 The second time, to give the eviction
9 date, there is not a log in the Jewell system.

10 Q. And that was my question earlier that
11 was, maybe, misunderstood.

12 There could be times that the sheriff
13 takes action to either evict or serve that is not
14 noted in the Jewell system?

15 A. Correct.

16 MR. FILIPOVIC: No further questions.

17 (EXAMINATION OF LT. THORNE BY MS. HARPER:)

18 Q. If notice is mailed, would that be
19 logged into the Jewell system?

20 A. No.

21 Q. In general, when you are serving a
22 notice to vacate, is it not only customary to post it
23 on the property, but also to mail it to the property?

24 MR. FILIPOVIC: Objection to form,
25 compound question.

1 MS. HARPER: You can answer, if you
2 understand.

3 I can clarify it.

4 THE WITNESS: What deputies -- when we
5 post the property, if we have to post a property,
6 that means we did not make contact with the occupant.
7 Therefore, to ensure that the occupant has notice, we
8 leave multiple notices. One would be posted and the
9 other would be left in the mail slot and the other
10 would be mailed out, just to ensure the occupant has
11 notice, if we do not make contact with the occupant.

12 BY MS. HARPER:

13 Q. But that mailing is not something that
14 is generally recorded in Jewell?

15 A. That is correct.

16 Q. I am going to ask you a question.

17 This is something that was produced in
18 discovery by the sheriff's office or on behalf of the
19 sheriff's office.

20 Does this record represent to your
21 knowledge the complete record in the Jewell system
22 for the Civil Enforcement Unit with respect to
23 execution of the sheriff's number 231566?

24 A. Correct.

25 MS. HARPER: Thank you.

1 MR. FILIPOVIC: Nothing further, sir.

2 Thank you.

3 (WITNESS EXCUSED)

4 (DEPOSITION CONCLUDED AT 1:30 P.M.)

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C E R T I F I C A T E

I, Lori A. Porto, a Notary Public and Certified Court Reporter do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place, and on the date hereinbefore set forth, to the best of my ability.

I do further certify that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

Lori A. Porto, CCR
Notary Public, State of New Jersey
Certificate No. XI01577

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| <p style="text-align: right;">Page 1</p> <p style="text-align: center;">UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA CASE NO. 18-13098-MDC</p> <hr/> <p>LYNDEL TOPPIN,</p> <p style="padding-left: 40px;">Debtor/Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>JEWELL WILLIAMS and ABDELDAYEM HASSAN a/k/a ABDEL DYEM HASSAN, Defendants.</p> <hr/> <p style="text-align: center;">* * * *</p> <p style="text-align: center;">THURSDAY, DECEMBER 12, 2019</p> <p style="text-align: center;">* * * *</p> <p>Oral deposition of DEPUTY JETARIA TAYLOR, taken pursuant to notice, was held at the Municipal Services Building, 1401 John F. Kennedy Boulevard, Philadelphia, Pennsylvania, commencing at 1:30 a.m., on the above date, before Lori A. Porto, a Certified Court Reporter. KAPLAN, LEAMAN & WOLFE 230 SOUTH BROAD STREET, SUITE 1303 PHILADELPHIA, PENNSYLVANIA 19102 (215) 922-7112 www.klwreporters.com</p> | <p style="text-align: right;">Page 3</p> <p style="text-align: center;">WITNESS INDEX</p> <p>1 2 3 Examination of Deputy Taylor 4 5 By Mr. Filipovic: Pages 6, 36 6 By Ms. Harper: Pages 33, 35 7 By Mr. Domer: Page 34 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> |
| <p style="text-align: right;">Page 2</p> <p>1 APPEARANCES: 2 3 DUNNE LAW OFFICES, P.C. BY: STEPHEN M. DUNNE, ESQUIRE 4 - and PREDRAG FILIPOVIC, ESQUIRE 5 1515 Market Street Suite 1200 6 Philadelphia, PA 19109 215.551.7109 7 stephen@dunnelawoffices.com pfesq@ifight4justice.com 8 Counsel for the Debtor/Plaintiff 9 10 CITY OF PHILADELPHIA LAW DEPARTMENT BY: MEGAN N. HARPER, DEPUTY CITY SOLICITOR 11 - and - JOSHUA DOMER, ASSISTANT CITY SOLICITOR 12 1401 John F. Kennedy Boulevard Room 580 Philadelphia, PA 19102 13 215.686.0503 megan.harper@phila.gov 14 joshua.domer@phila.gov Counsel for the Defendant Jewell Williams 15 16 17 18 19 20 21 22 23 24 25</p> | <p style="text-align: right;">Page 4</p> <p style="text-align: center;">EXHIBITS</p> <p>1 2 3 4 5 6 7 8 9 10 11 12 13 (NO EXHIBITS WERE MARKED) 14 15 16 17 18 19 20 21 22 23 24 25</p> |

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| <p>1 DEPOSITION SUPPORT</p> <p>2</p> <p>3 (REQUEST).....16</p> <p>4 (REQUEST).....29</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p>1 substance, that would prevent you from giving</p> <p>2 truthful testimony today?</p> <p>3 A. No.</p> <p>4 Q. Could you say your name for the record,</p> <p>5 please?</p> <p>6 A. Jetaria, J-e-t-a-r-i-a, Taylor,</p> <p>7 T-a-y-l-o-r.</p> <p>8 Q. Ms. Taylor, what is your current</p> <p>9 occupation?</p> <p>10 A. I am a deputy sheriff with the</p> <p>11 Philadelphia Sheriff's Office assigned to the Civil</p> <p>12 Enforcement Unit.</p> <p>13 Q. How long have you been in that position?</p> <p>14 A. For two years.</p> <p>15 Q. So you were there from May until, say,</p> <p>16 July of 2018?</p> <p>17 A. Yes.</p> <p>18 Q. Ms. Taylor, are you familiar -- describe</p> <p>19 your job duties that are associated with your</p> <p>20 position.</p> <p>21 A. I am responsible for enforcing court</p> <p>22 orders, I handle evictions, and that is really about</p> <p>23 it.</p> <p>24 Q. Do you go to the field and do you go to</p> <p>25 the properties for evictions, posting notices, and</p> |
| Page 6 | Page 8 |
| <p>1 (Jetaria Taylor, having been duly sworn, was examined</p> <p>2 and testified as follows:)</p> <p>3 (EXAMINATION OF DEPUTY TAYLOR BY MR. FILIPOVIC:)</p> <p>4 Q. Good afternoon, Ms. Taylor.</p> <p>5 I'm Counsel Filipovic for Lyndel Toppin</p> <p>6 and co-counsel is Stephen Dunne. We're going to be</p> <p>7 conducting this deposition.</p> <p>8 The rules, I have to repeat them for</p> <p>9 the record.</p> <p>10 I will ask questions and I will try to</p> <p>11 be succinct.</p> <p>12 When you answer, please do so verbally,</p> <p>13 so the court reporter can write the answers down for</p> <p>14 the record, and, I can understand your gestures, but</p> <p>15 it's difficult for her to write them down.</p> <p>16 If you should, at any point, want me to</p> <p>17 clarify a question, I will, to the best of my</p> <p>18 ability, and we'll go from there.</p> <p>19 A. Okay.</p> <p>20 MR. FILIPOVIC: Usual stipulations in</p> <p>21 this one, counsel?</p> <p>22 MS. HARPER: Sure.</p> <p>23 BY MR. FILIPOVIC:</p> <p>24 Q. Ms. Taylor, again, I have to ask you,</p> <p>25 are you under the influence of anything, any</p> | <p>1 such?</p> <p>2 A. Yes.</p> <p>3 Q. Do you go alone or do you have a partner</p> <p>4 or how does that work?</p> <p>5 A. I go alone as far as postings, but I</p> <p>6 have a partner when I do the actual eviction.</p> <p>7 Q. Do you take a vehicle?</p> <p>8 A. Yes.</p> <p>9 Q. What type of vehicle?</p> <p>10 A. Ford Taurus.</p> <p>11 Q. Ford Taurus?</p> <p>12 A. Uh-huh, personal vehicle.</p> <p>13 Q. Personal vehicle?</p> <p>14 A. Yes.</p> <p>15 Q. It does not have sheriff's indications</p> <p>16 on there?</p> <p>17 A. No.</p> <p>18 Q. Are you generally wearing a uniform?</p> <p>19 A. No.</p> <p>20 Q. I notice you have a gun here on you</p> <p>21 today.</p> <p>22 Do you usually have a gun when you are</p> <p>23 in the field serving evictions and posting notices?</p> <p>24 A. I have a gun every time I am at work.</p> <p>25 Q. So is that a yes?</p> |

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| <p>1 A. Yes.</p> <p>2 Q. Now, when you have a partner, do you</p> <p>3 then travel in a marked vehicle or is it still</p> <p>4 unmarked?</p> <p>5 A. No, still personal vehicles.</p> <p>6 Q. Two personal vehicles?</p> <p>7 A. Uh-huh, yes.</p> <p>8 Q. Is that the same practice that was</p> <p>9 employed between May and June of last year?</p> <p>10 A. Yes.</p> <p>11 Q. Do you have a badge on you if you are</p> <p>12 asked to show it?</p> <p>13 A. Yes.</p> <p>14 Q. How do you post a notice of eviction?</p> <p>15 A. So I would knock first to personally</p> <p>16 serve.</p> <p>17 If I don't get an answer, I post one to</p> <p>18 the door and another copy I would put in the mailbox.</p> <p>19 Q. The one that you post on the door, how</p> <p>20 do you affix it to the door?</p> <p>21 A. Just with some tape (indicating).</p> <p>22 Q. How long does that usually take?</p> <p>23 A. Two minutes, if that.</p> <p>24 Q. Do you use any color-coding?</p> <p>25 A. No.</p> | <p>1 of that is?</p> <p>2 A. That we continued after he filed for</p> <p>3 bankruptcy.</p> <p>4 Q. Continued to -- continued what?</p> <p>5 A. I guess continued service on this</p> <p>6 particular address after bankruptcy.</p> <p>7 Q. Were you one of the deputies in charge</p> <p>8 of servicing this writ?</p> <p>9 A. Yes.</p> <p>10 Q. Mr. Lyndel Toppin's writ?</p> <p>11 A. Yes.</p> <p>12 Q. My question to you, Ms. Taylor -- if you</p> <p>13 could, take a look at Exhibits PS-3 through 8.</p> <p>14 These are the copies of all the notices</p> <p>15 and there should be six of them.</p> <p>16 Ms. Taylor, do you know what these</p> <p>17 documents represent?</p> <p>18 A. Yes.</p> <p>19 Q. What are they?</p> <p>20 A. They are the initial notice to vacate</p> <p>21 and then the eviction notice that gives the actual</p> <p>22 eviction date.</p> <p>23 Q. Could you be specific and refer to them</p> <p>24 by the numbers that they are identified as?</p> <p>25 A. One-by-one or --</p> |
| Page 10 | Page 12 |
| <p>1 Q. Are they preprinted -- what are the</p> <p>2 colors that are on these notices?</p> <p>3 Are they noticeable, bright colors?</p> <p>4 A. It depends.</p> <p>5 We were using -- I think it was red,</p> <p>6 the notice to vacate, but we didn't have anymore, so</p> <p>7 it would just be a photocopy of that.</p> <p>8 We didn't have color.</p> <p>9 Q. If you run out?</p> <p>10 A. Yes.</p> <p>11 Q. But they are supposed to be red?</p> <p>12 A. I'm not going to say supposed to be.</p> <p>13 Q. But they were?</p> <p>14 A. Yes.</p> <p>15 Q. Red?</p> <p>16 A. Uh-huh.</p> <p>17 Q. Why do you think that they were in red?</p> <p>18 A. No particular reason.</p> <p>19 Q. We're here for the case of Lyndel Toppin</p> <p>20 and the particular property is at 146 South 62nd</p> <p>21 Street.</p> <p>22 Do you know what this case is about and</p> <p>23 why you are here getting deposed today?</p> <p>24 A. Yes.</p> <p>25 Q. Can you tell us what your understanding</p> | <p>1 Q. If you don't mind, yeah, one-by-one.</p> <p>2 A. PS-3 is the initial notice to vacate,</p> <p>3 PS-4 is the initial notice to vacate, PS-5 is the</p> <p>4 initial notice to vacate. Basically, it is a 21-day</p> <p>5 notice.</p> <p>6 Then, you have PS-6, which is the</p> <p>7 actual eviction notice, attached with the writ.</p> <p>8 PS-8 is an envelope with the annual</p> <p>9 eviction notice with the date of the eviction and</p> <p>10 then PS-7 is the final eviction notice with a copy of</p> <p>11 the writ.</p> <p>12 Q. Okay, thank you.</p> <p>13 Do you see the entry on all of them,</p> <p>14 the sheriff's number?</p> <p>15 A. Yes.</p> <p>16 Q. That sheriff's number, do you know it to</p> <p>17 be associated with Mr. Lyndel Toppin and the property</p> <p>18 at 146 South 62nd Street?</p> <p>19 A. I'm not sure.</p> <p>20 Q. You testified that you were in charge of</p> <p>21 servicing the Lyndel Toppin evictions and notices to</p> <p>22 vacate, correct?</p> <p>23 A. Yes.</p> <p>24 MS. HARPER: Objection.</p> <p>25 I don't think she testified to that.</p> |

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1 MR. FILIPOVIC: Counsel, I think she
2 did.
3 Do you want to see the record --
4 MS. HARPER: That's fine.
5 MR. FILIPOVIC: Court Reporter, could
6 you go back and read my question about were you the
7 deputy in charge of servicing the address?
8 (DESIGNATED QUESTION AND ANSWER WERE
9 READ)
10 BY MR. FILIPOVIC:
11 Q. Do you know if that sheriff's number on
12 these several notices pertain to Mr. Toppin and that
13 particular property?
14 A. Yes.
15 Q. It does?
16 A. Yes.
17 Q. Did you personally serve these?
18 A. Personally serve them, no.
19 I posted them.
20 Q. Oh, right, I'm sorry.
21 You were the deputy that posted these
22 on the premises?
23 A. Yes.
24 Q. At 146 South 62nd Street?
25 A. Yes.

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1 Q. How many dates are we talking about
2 here, for you to have posted these?
3 A. I would have only went out twice.
4 Once was for the initial notice and
5 once was for the final notice.
6 Q. What about the letter?
7 A. Every time we do a posting, you mail one
8 out, you post one to the door, and then you put one
9 in the mailbox.
10 So, essentially, each time, you give
11 three notices.
12 Q. Three notices or three attempts to
13 notify, right, whatever you want to call it?
14 A. Yes.
15 Q. But there was three each time you went
16 out?
17 A. Yes.
18 Q. Now, let's go with PS-3.
19 Do you see the date that is in the
20 bottom corner there?
21 A. Yes.
22 Q. Does that sound accurate, that that was
23 the first time you went out?
24 A. That doesn't look like my handwriting.
25 Q. I didn't say it was your handwriting.

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1 Did I say it was your handwriting?
2 A. You're asking me about a date.
3 MS. HARPER: Counsel, you're getting
4 argumentative with her.
5 I think it is unnecessary.
6 MR. FILIPOVIC: It is certainly not
7 necessary, but I'm just asking for an answer to my
8 question.
9 My question is -- I didn't even ask
10 that, but the date that you see on the earliest
11 notice, what is the date?
12 It's in the bottom left-hand corner.
13 THE WITNESS: It says May 18th, 2018.
14 BY MR. FILIPOVIC:
15 Q. Does that sound correct to you as the
16 first date you went out?
17 A. No.
18 Q. No?
19 A. No.
20 Q. So you would have done -- whenever you
21 had gone out, you would have done it in a personal
22 vehicle?
23 A. Yes.
24 Q. Do you get reimbursed for mileage for
25 these trips?

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1 A. Yes.
2 Q. To get reimbursed for mileage, you
3 submit a log of times and dates when you traveled?
4 A. It's not a log, it's the date and then
5 the mileage.
6 Q. Uh-huh.
7 Is this in a document?
8 A. Yes.
9 Q. And you filled out a document of some
10 sort to get reimbursed?
11 A. Yes.
12 (REQUEST) MR. FILIPOVIC: Counsel, we're going to
13 be requesting that document because there is an issue
14 about, you know, she doesn't agree to that date and
15 we contend there is an issue.
16 MS. HARPER: I will ask a follow-up
17 question, but that's fine.
18 BY MR. FILIPOVIC:
19 Q. Do you call them expense reports or how
20 do you refer to them?
21 A. Mileage form.
22 MS. HARPER: You're going to ask for
23 that today, at this deposition?
24 MR. FILIPOVIC: Correct.
25 MS. HARPER: That's fine.

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| <p style="text-align: right;">Page 17</p> <p>1 BY MR. FILIPOVIC: 2 Q. So the mileage form would have notations 3 of the times and dates that you went out. 4 Does it have the address? 5 A. No. 6 Q. What does it have? 7 A. It has the date and how many miles I did 8 for the day. 9 Q. Is there a sheriff's number or -- 10 A. No. 11 Q. No? 12 A. No. 13 Q. How do you -- just a date and how many 14 miles you did for the day? 15 A. Yes. 16 MS. HARPER: Do you still need that 17 document? 18 MR. FILIPOVIC: Yes. 19 MS. HARPER: We'll see if it was 20 requested in discovery. 21 MR. FILIPOVIC: We can argue about 22 that. 23 When would you say was the first time 24 you went out? 25 THE WITNESS: I'm not sure.</p> | <p style="text-align: right;">Page 19</p> <p>1 that particular posting such as the one that we see 2 in PS-11 that you just read from? 3 A. No. 4 Q. Are there any other times that you went 5 to the property that you did not enter into the 6 Jewell system? 7 A. No. 8 Q. Now, the notice to vacate that you 9 served or posted on the property on May 10th, can you 10 find it or do you see it in front of you in any of 11 these documents? 12 A. It would be one of these (indicating). 13 Q. Well, can you tell me which one 14 according to its number? 15 The one you are holding up now, what is 16 the number? 17 A. PS-4. 18 Q. PS-4? 19 A. Uh-huh. 20 Q. Thank you. 21 What about the eviction notice on the 22 property that you served in June, do you see it in 23 front of you there? 24 A. Let me just clarify, because, going back 25 to the initial ones you asked me about, I can't tell</p> |
| <p style="text-align: right;">Page 18</p> <p>1 BY MR. FILIPOVIC: 2 Q. Can we agree that you went out on 3 5-10-2018? 4 A. If that is what is in the log, then yes. 5 Q. Let's go to PS-11. 6 The middle of the page, it has a date 7 of May 10th, 2018, correct? 8 A. Yes. 9 Q. There is a note there. 10 Could you read it for the record? 11 A. Deputy Jetaria Taylor, being duly sworn 12 according to law, posted one true and attested copy 13 of the within writ of possession upon real estate 14 located at 146 South 62nd Street, Philadelphia, PA 15 19139, and the next one says 21-day notice posted. 16 Q. Did you enter this note? 17 A. Yes. 18 Q. It sounds like you went out earlier than 19 May 18th if this is dated May 10th. 20 A. Yes. 21 Q. What about, on June 1st, did you post an 22 eviction notice on the property at 146 South 62nd 23 Street? 24 A. Yes. 25 Q. Did you enter a note in the system about</p> | <p style="text-align: right;">Page 20</p> <p>1 you which one was posted, because these have two 2 different dates on it, but it would have been any one 3 of these that say notice to vacate (indicating). 4 Q. Right, okay. 5 A. And then, for the final posting, it 6 would have been any one of these -- well, not this 7 one, because that has an envelope, so that was mailed 8 out (indicating). 9 Q. When you say this one -- 10 A. I'm sorry, PS-6 or PS-7. 11 Q. It could be one of those? 12 A. It's either one of these, yes 13 (indicating). 14 Q. It's either one of those that you 15 posted? 16 A. Yes. 17 Q. Which one is not the one that was 18 posted? 19 A. PS-8 was mailed out. 20 Q. Okay, thank you. 21 What is the date on PS-8? 22 A. Are you asking about the envelope? 23 Q. Yes. 24 A. June 7th. 25 Q. Did you report to Inspector Guess at</p> |

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| <p style="text-align: right;">Page 21</p> <p>1 this time, between May and July of 2018?</p> <p>2 A. Not directly to him.</p> <p>3 I had a direct supervisor.</p> <p>4 Q. Who was your direct supervisor?</p> <p>5 A. Omar Appling, A-p-p-l-i-n-g.</p> <p>6 Q. Was there a time when you -- it says you</p> <p>7 posted an eviction notice on June 1st.</p> <p>8 You testified, when you went out to</p> <p>9 post eviction notices, you may have taken a deputy</p> <p>10 with you or --</p> <p>11 A. No.</p> <p>12 Q. That was only when you were evicting</p> <p>13 people?</p> <p>14 A. Yes.</p> <p>15 Q. So you were alone on both May 10th and</p> <p>16 June 1st?</p> <p>17 A. Yes.</p> <p>18 Q. Okay.</p> <p>19 To the best of your knowledge, did</p> <p>20 anybody ever come to this particular property with</p> <p>21 you?</p> <p>22 A. No.</p> <p>23 Q. It was always --</p> <p>24 A. Always by myself.</p> <p>25 Q. Did you contact any neighbors at any</p> | <p style="text-align: right;">Page 23</p> <p>1 property?</p> <p>2 A. To my knowledge, no.</p> <p>3 Q. When you were out in the field serving,</p> <p>4 do you usually go back to the hospital before</p> <p>5 checking out for the day or do you go straight home?</p> <p>6 A. It depends.</p> <p>7 Q. What does it depend on?</p> <p>8 A. It just depends on what my schedule</p> <p>9 looks like.</p> <p>10 Some days I might do half my time in</p> <p>11 the field and half my time in the office or I may do</p> <p>12 where I'm in the office in the morning and out in the</p> <p>13 field in the afternoon.</p> <p>14 Q. So, if you are out in the field in the</p> <p>15 afternoon, is that when you are more likely to not go</p> <p>16 back to the office and just go straight home?</p> <p>17 A. Yes.</p> <p>18 Q. Now, did you ever put anything besides</p> <p>19 this note on May 10th in the Jewell system?</p> <p>20 A. No.</p> <p>21 Q. Do you recall the parking situation in</p> <p>22 the 146th block of South 62nd Street?</p> <p>23 A. Yes.</p> <p>24 Q. What is the parking like there?</p> <p>25 A. It's just --</p> |
| <p style="text-align: right;">Page 22</p> <p>1 time?</p> <p>2 A. No.</p> <p>3 Q. Or did you see anybody there?</p> <p>4 A. No.</p> <p>5 Q. Did it appear to you that somebody was</p> <p>6 living there?</p> <p>7 A. I can't make that determination.</p> <p>8 Q. Sure, okay.</p> <p>9 We're going back to PS-11.</p> <p>10 It says here, unknown occupants.</p> <p>11 Did you write that, unknown occupants,</p> <p>12 or is that generic?</p> <p>13 A. It was on the actual writ.</p> <p>14 Q. Uh-huh.</p> <p>15 So you wrote it from the writ?</p> <p>16 A. No, I didn't write anything.</p> <p>17 That is how it was put into the system.</p> <p>18 Q. The system already had it pre-filled --</p> <p>19 A. Yes.</p> <p>20 Q. Part of your notes say possession date,</p> <p>21 6-25-18.</p> <p>22 Did anybody go out on June 25th, 2018?</p> <p>23 A. No.</p> <p>24 Q. And there was no other deputy, to the</p> <p>25 best of your knowledge, that served anything on this</p> | <p style="text-align: right;">Page 24</p> <p>1 Q. Street parking?</p> <p>2 A. Yeah.</p> <p>3 Q. There is no meter, right?</p> <p>4 A. No.</p> <p>5 Q. Who prepares the notices you serve?</p> <p>6 A. I do.</p> <p>7 Q. Do you print them out from a printer</p> <p>8 or --</p> <p>9 A. They are already printed out, I just</p> <p>10 have to fill them in.</p> <p>11 Q. By hand?</p> <p>12 A. Yes.</p> <p>13 Q. Let's start with the earliest one.</p> <p>14 Would the sheriff's number that is</p> <p>15 handwritten on that notice -- first of all, PS-3, 4</p> <p>16 and 5, which are the notices to vacate, do you see a</p> <p>17 sheriff's number on there?</p> <p>18 A. Yes.</p> <p>19 Q. Lieutenant Thornton testified about</p> <p>20 that?</p> <p>21 A. Yes.</p> <p>22 Q. Does that appear to be handwritten?</p> <p>23 A. Yes.</p> <p>24 Q. Did you handwrite that number?</p> <p>25 A. Yes.</p> |

Page 25

1 Q. Which information did you reference to
2 know what number to put there?
3 A. The writ.
4 Q. The writ?
5 A. Yes.
6 Q. So the numbers on the writ are assigned
7 by the sheriff's office?
8 A. Yes.
9 Q. Where is this writ in relation to when
10 you are preparing the notice?
11 Is it in the computer or --
12 A. I have a physical copy.
13 Q. You have a physical copy of the actual
14 writ?
15 A. Yes.
16 Q. The writ in this particular case --
17 let's go to PS-10.
18 It is another Jewell printout.
19 Do you know if this number in
20 parenthesis, 1707-5002, is the writ number?
21 A. I'm not sure what that is.
22 Q. Other than filling out the mileage on
23 your expense report or the mileage form as you
24 testified to, is there a process of you advising your
25 supervisor of when you would be in the office and

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1 when you were in the field?
2 A. No.
3 Q. So your supervisor would not know
4 whether you were in the office or not prior to you
5 leaving?
6 Is that your testimony?
7 A. What do you mean, prior to me leaving?
8 Q. Let's say that you were working in the
9 morning or -- let's go with this scenario. Say you
10 are in in the morning and you want to go serve some
11 paperwork in the afternoon and you are not planning
12 to come back.
13 Would you have to let your supervisor
14 know?
15 A. I just tell him I'm leaving and that is
16 it.
17 Q. What if he's not immediately available?
18 Is there a requirement to check in a
19 log --
20 A. I sign-in in the morning and, when I'm
21 done, I'm done.
22 Q. You sign-out when you are leaving?
23 A. Yes.
24 Q. Even if you are working, serving the
25 writs, you still have to sign-out?

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1 A. Yes.
2 Q. Where do you sign-in and out of?
3 Is there a log --
4 A. Sign-in sheet.
5 Q. Employee sign-in sheet?
6 A. Yes.
7 Q. In the event that you were planning to
8 -- as you testified, sometimes you're in the field in
9 the morning, but you're in in the afternoon, how do
10 you go about noting your absence in the morning?
11 Do you call your supervisor, do you
12 send him an e-mail?
13 A. What do you mean?
14 Q. Say you're in the office all day, until
15 4:30, and you have a bunch of paperwork and you are
16 planning to serve it in the morning.
17 At that point, you're not just not
18 going to show up in the morning, you have to let
19 somebody know that you are not going to be there in
20 the morning, so how do you go about that?
21 A. I have my own schedule.
22 I make my own schedule.
23 I don't have to notify my supervisor
24 that I'm not going to be there in the morning because
25 I'm out in the field doing work.

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1 Q. How is she able to differentiate -- do
2 you let anybody know or is there any notation of you
3 being out in the field doing work?
4 A. No.
5 Q. So, correct me if I'm wrong, if you are
6 not in the office in the morning, at first, your
7 supervisor doesn't know if you are out doing work or
8 if you are home sick?
9 A. If I'm home sick, I will call and let
10 them know I'm sick.
11 Q. So, unless they hear from you, you are
12 out doing work?
13 A. Yes.
14 Q. Now, the employee sign-in sheet, is that
15 -- do you note it in the employee sign-in sheet if
16 you are going to be out in the morning?
17 Do you note it the day before?
18 A. No.
19 Q. Just when you come back, you sign-in?
20 A. Yes.
21 Q. Do you recall, on these two dates that
22 you testified to being there at the property, was it
23 morning or afternoon?
24 A. I'm not sure.
25 Q. So you don't recall, okay.

| Page 29 | Page 31 |
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| <p>1 A. Let me clarify.</p> <p>2 According to the document I put into</p> <p>3 the Jewell system, the one time I went out, it was</p> <p>4 9:45 a.m.</p> <p>5 Q. You are talking about --</p> <p>6 A. PS-11.</p> <p>7 Q. You gathered that from time out, 9:45?</p> <p>8 A. Yes.</p> <p>9 Q. It says here, mileage, zero?</p> <p>10 A. We don't insert our mileage into the</p> <p>11 computer.</p> <p>12 Q. I'm reading what it says here.</p> <p>13 A. Okay.</p> <p>14 (REQUEST) MR. FILIPOVIC: In addition to the</p> <p>15 mileage form, we would also like to request the</p> <p>16 employee sign-in sheet between May 8th and June 25th</p> <p>17 of 2018.</p> <p>18 MS. HARPER: Uh-huh.</p> <p>19 BY MR. FILIPOVIC:</p> <p>20 Q. Have you ever seen Mr. Toppin?</p> <p>21 A. No.</p> <p>22 Q. What about anybody else at that home?</p> <p>23 A. No.</p> <p>24 Q. In your conversations with your</p> <p>25 supervisors, did you ever discuss this case with your</p> | <p>1 information.</p> <p>2 Q. You don't have access?</p> <p>3 A. No.</p> <p>4 Q. Who is we?</p> <p>5 A. Civil Enforcement Unit.</p> <p>6 I'm not able to go into my system and</p> <p>7 pull this up.</p> <p>8 This isn't Civil Enforcement Unit</p> <p>9 stuff.</p> <p>10 This looks like real estate stuff.</p> <p>11 Q. But it's the Sheriff's Office of</p> <p>12 Philadelphia County?</p> <p>13 A. We still don't -- I can't see into</p> <p>14 somebody else's system.</p> <p>15 Q. Would it have been helpful for you to be</p> <p>16 able to see that there was a bankruptcy filed?</p> <p>17 A. Typically, if it's a bankruptcy, we</p> <p>18 receive the information.</p> <p>19 Q. But you didn't in this case?</p> <p>20 A. No.</p> <p>21 Q. Who do you receive it from?</p> <p>22 A. It depends.</p> <p>23 Sometimes the defendant will fax over</p> <p>24 something or they will bring us something. If they</p> <p>25 get something in another division, they'll give it to</p> |
| Page 30 | Page 32 |
| <p>1 supervisors?</p> <p>2 To be clear, I'm not talking about this</p> <p>3 litigation now, I'm talking about the case of service</p> <p>4 of this paperwork with your supervisors.</p> <p>5 A. No.</p> <p>6 Q. Did any one of them ever tell you that</p> <p>7 the bankruptcy was filed?</p> <p>8 A. No.</p> <p>9 Let me clarify.</p> <p>10 I only got that information after we</p> <p>11 were informed about the litigation, but, prior to</p> <p>12 that, I didn't know about the bankruptcy.</p> <p>13 Q. When you say you only got the</p> <p>14 information, what information did you get?</p> <p>15 A. In terms of a bankruptcy was filed.</p> <p>16 Q. If you refer to PS-10, this document, it</p> <p>17 says Sheriff's Return of Service on it?</p> <p>18 A. Yes.</p> <p>19 Q. And, the gentleman here, Lieutenant</p> <p>20 Thornton, I believe, testified that this is in the</p> <p>21 Jewell system, and I will direct you to this entry of</p> <p>22 May 9th, 2018.</p> <p>23 Would this have been available to your</p> <p>24 supervisor, the information that is on this document?</p> <p>25 A. We don't have access to this</p> | <p>1 us.</p> <p>2 Q. Another division will give it to you?</p> <p>3 A. Yes.</p> <p>4 Q. And you didn't get anything from anybody</p> <p>5 in this case?</p> <p>6 A. No.</p> <p>7 Q. At the time?</p> <p>8 A. No, and we would only get something from</p> <p>9 another division if they knew it was an eviction.</p> <p>10 This here looks like all sheriff's sale</p> <p>11 stuff, which are two different things (indicating).</p> <p>12 Q. Do you know the bankruptcy law within</p> <p>13 your own right?</p> <p>14 Do you know what happens to the</p> <p>15 effective bankruptcy?</p> <p>16 It's the same question I asked</p> <p>17 Lieutenant Thornton.</p> <p>18 A. If they file?</p> <p>19 Q. Yes.</p> <p>20 A. Yes.</p> <p>21 Q. What is it?</p> <p>22 A. We are to stop all action unless there</p> <p>23 is a bar order.</p> <p>24 Q. All action?</p> <p>25 A. Yes.</p> |

| Page 33 | Page 35 |
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| <p>1 Q. All action, to you, does that mean 2 eviction? 3 A. Yes. 4 Q. Posting notices of vacate, does that 5 fall within all action? 6 A. Yes. 7 Q. Executing, garnishing writs, is that all 8 action? 9 A. Yes. 10 MR. FILIPOVIC: Ma'am, I don't think I 11 have any other questions for you. 12 Thank you, Deputy Taylor. 13 (EXAMINATION OF DEPUTY TAYLOR BY MS. HARPER:) 14 Q. Deputy Taylor, if you could, just look 15 at what is marked PS-8. 16 Do you have that in front of you? 17 A. Yes. 18 Q. You were asked a question about the date 19 that appears on the envelope. 20 Do you see that? 21 A. Yes. 22 Q. Is that your handwriting, the date that 23 says 6-7-18? 24 A. No. 25 Q. Do you know who wrote that?</p> | <p>1 blank, and then this information about cancelled per 2 defendant filed bankruptcy, that information wasn't 3 in the system, either. 4 Q. When you put this note? 5 A. On May 10th, yes, neither one of those 6 were in there. 7 Q. Is it your statement that you didn't put 8 that in there? 9 A. Yes. 10 Q. Do you know who did? 11 A. I'm not sure. 12 As far as the possession dates, 13 typically a supervisor would do that, and, if 14 somebody received a bankruptcy, they would put the 15 information in, but this was after the May 10th date 16 and I don't know what date that is. 17 MR. DOMER: I don't have anything else. 18 (EXAMINATION OF DEPUTY TAYLOR BY MS. HARPER:) 19 Q. We talked about two instances where you 20 went to the property at 146 South 62nd Street. 21 One of them was June 1st to post the 22 eviction notice, correct? 23 A. Yes. 24 Q. That date is not reflected on this 25 record that is marked PS-11, is that correct?</p> |
| Page 34 | Page 36 |
| <p>1 A. No. 2 MS. HARPER: I don't think I have 3 anything else. 4 (EXAMINATION OF DEPUTY TAYLOR BY MR. DOMER:) 5 Q. You were asked about this. 6 Correct me if I'm wrong, PS-11, you 7 said that you wrote in the notes? 8 A. Yes. 9 Q. Did you write in all the notes on there? 10 A. No. 11 Q. What notes did you write? 12 A. Well, technically, I only wrote -- I 13 didn't really have to write anything. 14 So, this is already pre-done, so this 15 is -- 16 Q. Can you talk in words, so the court 17 reporter can take it down? 18 A. Deputy Jetaria Taylor, being duly sworn 19 according to law, that whole sentence is already 20 pre-recorded in the system, I guess, so the only 21 thing I have to do is put my name into the drop-down 22 box, and, once I put in my name, it goes to the sign 23 field, and then, as far as the possession date, when 24 I entered the 21-day notice on May 10th, we didn't 25 have a possession date at that time, so that spot was</p> | <p>1 A. Yes. 2 Q. Did you have any other records that you 3 kept with respect to that activity? 4 A. Yes. 5 Q. What other records did you keep? 6 A. I would use a form that we have to fill 7 out and you have to put down the first time you go 8 out and the second time you go out. 9 You list the dates and the times. 10 Q. I know you haven't seen it in front of 11 you here today, but do you believe you did fill out 12 that form? 13 A. Yes. 14 Q. Any other means by which you personally 15 keep a record of times you go to a property? 16 A. Yes. 17 I keep a record in my phone. 18 MS. HARPER: I have nothing further. 19 (EXAMINATION OF DEPUTY TAYLOR BY MR. FILIPOVIC:) 20 Q. Just limited questions based only on 21 what was now discussed. 22 You keep it in your personal phone 23 or -- 24 A. My personal phone. 25 Q. As far as PS-11, did you review both --</p> |

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| <p style="text-align: right;">Page 37</p> <p>1 you testified that there was some information here</p> <p>2 such as your name and being duly sworn according to</p> <p>3 law.</p> <p>4 That was pre-typed when you went</p> <p>5 inside?</p> <p>6 A. Uh-huh.</p> <p>7 Q. And you only entered the remainder, up</p> <p>8 to 21, where it is posted?</p> <p>9 A. Yes.</p> <p>10 I noted 21, they noted posted.</p> <p>11 Q. Thanks.</p> <p>12 Do you review the entire entry, both</p> <p>13 the one that you printed and what was preprinted</p> <p>14 before you entered it?</p> <p>15 Do you read it?</p> <p>16 A. Maybe I explained it wrong.</p> <p>17 If you look, it says category, and it</p> <p>18 says posted --</p> <p>19 Q. Ma'am, if you could just answer the</p> <p>20 question.</p> <p>21 I understand what you are trying to</p> <p>22 say.</p> <p>23 We'll get through this quicker if you</p> <p>24 answer my questions.</p> <p>25 Did you read the entire entry, the</p> | <p style="text-align: right;">Page 39</p> <p style="text-align: center;">C E R T I F I C A T E</p> <p>1</p> <p>2</p> <p>3</p> <p>4 I, Lori A. Porto, a Notary Public and Certified</p> <p>5 Court Reporter do hereby certify that the foregoing</p> <p>6 is a true and accurate transcript of the testimony as</p> <p>7 taken stenographically by and before me at the time,</p> <p>8 place, and on the date hereinbefore set forth, to the</p> <p>9 best of my ability.</p> <p>10 I do further certify that I am neither a</p> <p>11 relative nor employee nor attorney nor counsel of any</p> <p>12 of the parties to this action, and that I am neither</p> <p>13 a relative nor employee of such attorney or counsel,</p> <p>14 and that I am not financially interested in the</p> <p>15 action.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24 Lori A. Porto, CCR</p> <p>Notary Public, State of New Jersey</p> <p>Certificate No. XI01577</p> <p>25</p> |
| <p style="text-align: right;">Page 38</p> <p>1 portion that was preprinted and the portion you put</p> <p>2 in, prior to clicking approve or enter?</p> <p>3 A. Yes.</p> <p>4 Q. That's all.</p> <p>5 Your testimony is that somebody else</p> <p>6 wrote in the possession date, 6-25-18?</p> <p>7 A. Yes.</p> <p>8 Q. And your testimony is that somebody else</p> <p>9 wrote in cancelled per defendant filed bankruptcy?</p> <p>10 A. Yes.</p> <p>11 Q. Would the Jewell system be able to</p> <p>12 identify who that person is by sign-in credentials,</p> <p>13 let's say?</p> <p>14 A. No.</p> <p>15 Q. Does anybody outside of the Philadelphia</p> <p>16 Sheriff's Office have access to this system?</p> <p>17 A. Outside the sheriff's office?</p> <p>18 Q. Yes.</p> <p>19 A. Not to my knowledge.</p> <p>20 MR. FILIPOVIC: Thanks.</p> <p>21 No further questions.</p> <p>22 (WITNESS EXCUSED)</p> <p>23 (DEPOSITION CONCLUDED AT 2:21 P.M.)</p> <p>24</p> <p>25</p> | |

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|--------------------------|------------------------|--------------------------|------------------------|-------------------------|
| A | Appling 21:5 | Boulevard 1:19 | 1:20 | dates 14:1 16:3 |
| A-p-p-l-i-n-g | approve 38:2 | 2:11 | computer 25:11 | 17:3 20:2 |
| 21:5 | argue 17:21 | box 34:22 | 29:11 | 28:21 35:12 |
| a.m 1:20 29:4 | argumentative | bright 10:3 | CONCLUDED | 36:9 |
| a/k/a 1:7 | 15:4 | bring 31:24 | 38:23 | day 17:8,14 23:5 |
| ABDELDAY... | asked 9:12 | BROAD 1:23 | conducting 6:7 | 27:14 28:17 |
| 1:7 | 19:25 32:16 | Building 1:18 | contact 21:25 | days 23:10 |
| ABDEL DYEM | 33:18 34:5 | bunch 27:15 | contend 16:15 | Debtor/Plaintiff |
| 1:7 | asking 15:2,7 | | continued 11:2 | 1:4 2:8 |
| ability 6:18 39:9 | 20:22 | C | 11:4,4,5 | DECEMBER |
| able 28:1 31:6 | assigned 7:11 | C 2:1 39:1,1 | conversations | 1:12 |
| 31:16 38:11 | 25:6 | call 14:13 16:19 | 29:24 | defendant 2:14 |
| absence 27:10 | ASSISTANT | 27:11 28:9 | copies 11:14 | 31:23 35:2 |
| access 30:25 | 2:11 | cancelled 35:1 | copy 9:18 12:10 | 38:9 |
| 31:2 38:16 | associated 7:19 | 38:9 | 18:12 25:12,13 | Defendants 1:9 |
| accurate 14:22 | 12:17 | case 1:2 10:19 | corner 14:20 | DEPARTME... |
| 39:6 | attached 12:7 | 10:22 25:16 | 15:12 | 2:9 |
| action 32:22,24 | attempts 14:12 | 29:25 30:3 | correct 12:22 | depend 23:7 |
| 33:1,5,8 39:12 | attested 18:12 | 31:19 32:5 | 15:15 16:24 | depends 10:4 |
| 39:15 | attorney 39:11 | category 37:17 | 18:7 28:5 34:6 | 23:6,8 31:22 |
| activity 36:3 | 39:13 | CCR 39:23 | 35:22,25 | deposed 10:23 |
| actual 8:6 11:21 | available 26:17 | certainly 15:6 | counsel 2:8,14 | deposition 1:16 |
| 12:7 22:13 | 30:23 | Certificate | 6:5,21 13:1 | 6:7 16:23 |
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